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REGULAR SESSION.

MONTGOMERY, ALABAMA, }
SENATE, Monday, November 10th, 1862. }

This being the Second Monday of November, the day fixed by law for the meeting of the General Assembly of said State, the Senate assembled in its chamber at the capitol.

The President, Mr. Patton, tendered his resignation as President of the Senate, and took his seat upon the floor.

Upon motion of Mr. Jemison, Mr. Clarke was called to the chair as President *pro tem*.

Upon a call of the roll, the following members were present:

Messrs. Calhoun, Cato, Clarke, Coman, Crump, Davis, Groce, Hammond, Harrison, Hill, Jackson, Jemison, Jewett, Mathews, Moren, McIntyre, Reavis, Stone and Walker—19.

The Senate proceeded to the election of a President to fill the vacancy occasioned by the resignation of Mr. Patton. Whereupon,

Mr. Cato placed in nomination the name of Mr. Rice, of Montgomery.

Mr. Groce placed in nomination the name of Mr. Calhoun.

Those who voted for Mr. Rice are, Messrs. Cato, Crump, Reavis—3.

Those who voted for Mr. Calhoun are, Messrs. Clarke, Coman, Davis, Groce, Hammond, Harrison, Hill, Jemison, Jewett, Mathews, Moren, McIntyre, Stone, Walker—14.

Mr. Calhoun having received a majority of all the votes

cast was declared duly elected President of the Senate to fill the unexpired term of the Hon. R. M. Patton.

On motion by Mr. Walker, a committee of three was appointed to wait upon Mr. Calhoun and inform him of his election. The chair appointed Messrs. Walker, Groce and Jemison, as said committee.

The committee waited upon Mr. Calhoun and conducted him to the chair, when the oath of office was administered to him by Mr. Jemison. He thereupon entered upon the duties of his office.

On motion of Mr. Jemison, Milton Keating was appointed Door-keeper until the Door-keeper elect should appear.

Message from the House by Mr. Clitherall:

Mr. President:

The House has adopted the following resolutions:

Resolved 1st, That the Senate be informed that the House of Representatives having a quorum present are ready to proceed to the business of the regular session.

Resolved 2d, That a committee of three be appointed on the part of the House to act with a like committee on the part of the Senate, to wait upon the Governor and inform him that the two Houses having convened in regular session are ready to receive any communication he may have to make.

Messrs. Ellis, Cabaniss and Burnett, are the committee on the part of the House.

The Senate concurred in the 2d resolution of the House, and Mr. President appointed Messrs. Jemison, Harrison, and Moren, the committee on the part of the Senate.

On motion of Mr. Rice, of Montgomery,

Resolved that the House of Representatives be informed forthwith that the Senate is organized and ready to proceed to business in regular session, and has elected Hon. James M. Calhoun, of Dallas, as President of the Senate, to fill the vacancy occasioned by the resignation of Hon. R. M. Patton.

Mr. Jemison, from the joint committee to wait upon the Governor under the joint resolution of the two Houses, reported that the committee had discharged that duty, and that the Governor would communicate in writing to the two Houses to-morrow morning 10 o'clock.

On motion by Mr. Jemison, the Senate adjourned until this afternoon half past 3 o'clock.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Mr. Rice, of Montgomery, introduced a bill to aid the Confederate Government in providing shoes for the Alabama soldiers in the Confederate army, and to impress the materials suitable for such shoes;

Which was read three times, under a suspension of the constitutional rule, and passed.

Also, Mr. Clarke, a bill for the relief of Mr. Walthall, tax collector of Wilcox county;

Which was read three times, under a suspension of the constitutional rule, and passed by the constitutional majority of two-thirds—yeas 25, nays none.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coman, Crump, Davis, Groce, Hammond, Harrison, Hill, Jackson, Jemison, Jewett, Ligon, Lewis, Mathews, Moren, McIntyre, Patton, Reavis, Rice of Montgomery, Stone, and Walker—25.

Also, Mr. Reavis, a bill to detach certain counties from the middle chancery division and attach them to the southern chancery division, and to detach, &c.;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

A message from the House was received announcing the passage of a bill to provide for the support of indigent families of soldiers in the army of the Confederate States from the State of Alabama;

The bill was read three several times, under a suspension of the constitutional rule, and passed by the constitutional rule of two-thirds—yeas 25, nays none.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coman, Crump, Davis, Groce, Hammond, Harrison, Hill, Jackson, Jemison, Jewett, Ligon, Lewis, Mathews, Moren, McIntyre, Patton, Reavis, Rice of Montgomery, Stone, and Walker—25.

Leave of absence was granted to Mr. McIntyre.

Senate adjourned till 10 o'clock to-morrow morning.

NOVEMBER 11, 1862.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Mathews, senator from Tallapoosa.

Upon a call of the districts, the following bills were introduced by Mr. Reavis :

A bill to further provide for the defense of the State of Alabama against invasion and insurrection ;

Also, a bill supplemental to an act to provide for the public safety ;

Mr. Clarke, a bill to amend an act entitled an act to provide for the public safety ;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the committee on Military Affairs.

Mr. Reavis, a bill to compensate the owners of the steamer Florida for the use of said steamer from the time it was taken for the public use, until it was paid for ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

Mr. Reavis, a bill to establish a bank in the town of Opelika, Ala., to be called the Exchange Bank of Alabama ;

Also, a bill to authorize the banks to issue small notes under the denomination of one dollar ;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on Banks and Banking.

Mr. Rice, of Montgomery, a bill to legalize private sales made by the administrator of Alvin Burrows, deceased ;

Also, a bill in relation to the fees of the clerks of the circuit court of the State.

Mr. Groce, a bill to provide for the taking of testimony by registers in chancery.

Mr. Stone, a bill to regulate the interest upon debts in payment of which Confederate Treasury notes may be tendered and refused.

Mr. Jewett, a bill to amend and explain section 28, of an ordinance therein named, and to authorize persons who have been compelled to pay \$2 50 per acre, for land which might have been entered at \$1 25 per acre, to enter other lands to the extent of the amount overpaid ;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Rice, of Montgomery, a bill for the relief of John T. Milner & Co.

Mr. Jewett, a bill to bring into market certain public lands in Baldwin county, in this State ;

Also, a bill to authorize the sale of public lands heretofore temporarily withdrawn from market ;

Also, a bill fixing the time within which proof of occupation and settlement may be made in certain cases ;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the committee on Public Lands.

Mr. Groce, a bill for the relief of Archibald B. Bell, of Calhoun county ;

Which was read three times, under a suspension of the constitutional rule, and passed.

Mr. Reavis, a bill to provide for the payment of the Confederate war tax assessed upon property in this State, and payable in the year 1863 ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation ;

By leave, Mr. Clarke offered the following resolution :

Resolved, The House of Representatives concurring, that the Legislature adjourn *sine die* on Saturday, the 15th inst., at 12 o'clock, A. M. :

Mr. Rice moved to amend as follows :

Strike out all after the word "*sine die*," and insert "as soon as they shall discover that they have faithfully performed their duties."

On motion by Mr. Jemison, the resolution and amendment were laid on the table.

By leave, Mr. Cato offered the following resolution, which was adopted :

Resolved, That the Committee on Military Affairs, be instructed to enquire into the expediency and propriety of so changing the militia laws of this State as to compel all male white persons, between the ages of 18 and 60 years, to perform militia duty, allowing no exemption except for physical inability, and so as to put the militia on an efficient active footing, for police duty, and home defense, and report by bill or otherwise.

Mr. President laid before the Senate the following report of J. T. Bradford, commissioner of public lands :

STATE LAND OFFICE,
Montgomery, Ala., Nov. 11, 1862. }

Hon. James M. Calhoun, President of the Senate:

I have the honor to submit the following report of the operations of this Department, for the year ending the 30th September, 1862, which are set forth in the following table:

	At \$1 25.	At \$2 50.	Graduation.	Homestead.	Mil. Boun. Land War.	Tot'l Acres	Cash.
Centre.....	156 18	1,535 07	1,459 93	6,969 27	199 84	10,320 29	4,632 01
Demopolis.....							
Elba.....	300 21	119 63	4,252 63	79 43	311 20	5,063 10	1,104 85
Greenville.....	239 32	800 94	10,818 54	4,533 06		16,391 86	3,679 65
Huntsville	481 16	39 88	14,269 67	3,605 49		18,396 20	2,484 87
Montgomery.....		305 05	7,974 28	640 06	80 00	8,999 39	2,785 65
St. Stephens.....	379 79	119 88	2,753 81	13,124 77		16,378 25	1,186 35
Tuscaloosa	40 00	3,526 23	5,413 10		360 00	9,339 33	10,092 52
	1,596 66	6,446 68	46,941 96	28,952 08	951 04	84,888 42	\$25,985 90

According to the provisions of "an act to compensate receivers at certain district land offices, &c." approved Dec. 10, 1861, the receivers at Greenville, Huntsville and Tuscaloosa, resigned and received the compensation therein provided. The registers at those offices were required to discharge the duties of both register and receiver. The receiver at St. Stephens refused to resign as contemplated by the aforesaid act, and continued to forward returns to this office until the middle of September, when his commission from the United States government expired.

No returns have been received from the Huntsville Land Office since the first quarter of this year, ending 31st March. The commission of the register and receiver expired on the 28th April last, and in consequence of that portion of the State being in the possession of the enemy, I made no appointment as required by the 12th section of the ordinance "in relation to the waste and unappropriated lands in the State of Alabama," adopted 20th March, 1861, until the 2d October, at which time I appointed J. J. Dillard, Esq., to the office of register and receiver who is recommended to your honorable body for confirmation. I have also re-appointed under said ordinance, Monroe Donoho, Esq., register and receiver at Tuscaloosa, whose commission expired the 4th March, 1862, who is also recommended for confirmation. Thomas O. Glascock, Esq., register and receiver at Montgomery, whose commission expired on the 4th March, 1862, was re-appointed by me, and this appointment, too, is recommended for confirmation by the Senate.

In June last, I was notified that the Central Railroad Company had located, selected and designated the portions of the public lands in this State granted to said Company by the Government of the United States, in accordance with the provisions of "an act in relation to certain public lands in this State, approved December 9, 1861. An equitable division of lands reserved to railroads and embraced within the several limit lines at the intersection of the Central Railroad, with the N. E. & S. W. Ala. Railroad and the Ala. & Tenn. Rivers Railroad, has been made by me.

All of which is respectfully submitted.

J. T. BRADFORD,
Commissioner of Public Lands.

Message from the Governor by his private Secretary, Mr. Taylor:

Mr. President:

I am instructed by the Governor to deliver to the Senate his annual message to the General Assembly, with the accompanying documents referred to in said message:

EXECUTIVE DEPARTMENT, }
MONTGOMERY, ALABAMA, November 10th, 1862. }

Gentlemen of the Senate and House of Representatives:

In greeting you once more upon the return of the annual session of the General Assembly, I congratulate you upon the manifestations of that Divine Providence who hath graciously preserved the public health and our State organization unimpaired; who hath vouchsafed victories to our armies, and who, amid the darkness and gloom which have shrouded our horizon, hath maintained our cause until the auspicious day when the nations of the earth are anxiously awaiting the advent of our young and rising Confederacy into the family of established governments.

TREASURY DEPARTMENT.

By the report of the State Treasurer, it appears that during the past fiscal year, ending on the 30th day of September, there were received into the treasury, in the civil department, \$3,258,233 50, which, added to cash balance on the 30th day of September, 1861, of \$293,665 37, shows an aggregate amount of \$3,551,898 87.

The disbursements in this department during the same period, including the sum of \$172,591 24, advanced to the State Commissioner and Trustee, to pay the interest on the foreign debt of the State, and \$2,000,000 paid the Confederate Government for the war tax assumed by the State, amount to \$3,164,540 67, showing balance in the treasury to the credit of the civil department, on the 30th day of September, 1862, of \$387,358 20.

In the military department, during the past fiscal year, there were received into the treasury \$1,431,469 79, which, added to former balance of \$217,237 68, amount to the sum of \$1,648,707 47.

The disbursements, during the same period, amount to \$1,489,880 73, showing balance in the treasury to the credit of the military department, on the 30th day of September, 1862, of \$158,826 74.

CONFEDERATE WAR TAX.

The act passed by the Confederate Congress, and approved 19th of August, 1862, "to authorise the issue of Treasury Notes, and to provide a war tax for their redemption," directed an assessment of the taxes in the various States by the first day of March, 1862; and the 24th section of the act provided that if any State would assume the payment of the tax, and would pay the amount of the assessment into the Confederate treasury by the first day of April, 1862, the sum of ten per cent. should be deducted from the amount of the assessment due by the people of such State.

The general assembly, at its last session, assumed for Alabama the amount of the war tax which might be assessed against the citizens of the State, and directed "that when the amount of said tax shall be ascertained in such mode as has been or may be prescribed by Congress, and the deduction of ten per cent. therefrom shall be made as provided in said 24th section, it shall be the duty of the Governor to cause the amount found due of said tax to be paid into the treasury of the Confederate States, as provided in said 24th section of said act," and the general assembly authorised the Governor to borrow the amount which might be needed for this purpose upon the eight per cent. bonds of the State.

The invasion of North Alabama by the enemy suspended all operations under the act in that portion of the State, and on the first day of April it was ascertained that the assessment had been completed in but few, if any counties in the State. As the amount of the tax which might be found due by the citizens of Alabama was needed by the Confederate government, and as the payment of it had been assumed by the State, not only for relief to its own citizens, but to aid the Confederate treasury by a prompt collection of the amount, and in order that the State of Alabama should fully meet every demand upon her resources for the maintenance of the Confederate cause, I proposed to the secretary of the treasury to advance for the State \$2,000,000 for this purpose, subject to a future settlement of the accounts when the assessments should be fully completed. This proposition having been accepted, the amount was paid on the 12th day of May, 1862, into the Confederate treasury.

On the 2d day of May the Mobile and Ohio Railroad Company paid into the State treasury \$308,000 in full of the principal and interest due upon the loan made by the State

to that company. Of this amount, \$300,000 were applied in part payment of the war tax, and the balance of the tax was raised by a sale at par value of State bonds having ten years to run from the first day of May, 1862, with interest coupons attached, payable annually, at the rate of eight per cent. These bonds were taken by the banks of the State, in the following proportions:

By the Bank of Mobile.....	\$528,000
By the Southern Bank.....	352,000
By the Central Bank... ..	317,000
By the Commercial Bank... ..	176,000
By the Northern Bank	176,000
By the Eastern Bank.....	105,000
By the Bank of Selma.....	46,000

Total amount of bonds taken by the banks.....	\$1,700,000
Add amount collected from loan made to the Mo- bile and Ohio Railroad Company.....	300,000

Total amount of war tax paid.....\$2,000,000.

At the time of this settlement, the Northern Bank, being then within the lines of the enemy, was not represented at the capitol, and had not deposited the funds for the amount of the bonds assigned to that bank, but the Central Bank, for accommodation, advanced the amount and received the bonds for the Northern Bank. ●

The assessments of the war tax in Alabama have not yet been fully completed. When all the returns shall have been made, it is believed that the amount advanced by the State will be found even more than sufficient to cover the total of the assessments; and under the provisions made by Congress, the secretary of the treasury will refund to the State ten per cent. on the amount ascertained to be due, together with all over-payments, if any, which may have been made.

The adjustment of the war tax in the manner stated not having been effected in strict accordance with the letter of the act passed by the general assembly, though in fulfilment of their manifest purpose, it is hoped that the same may be approved by them.

CLOTHING BUREAU.

Reports from the Quartermaster department show the aid given by the State for the supply of clothing to Alabama

soldiers in the Confederate service. From these it appears that the State has issued 6,102 overcoats, 16,024 jackets, 17,337 pants, 19,230 shirts, 16,535 drawers, 7,002 hats, 6,257 blankets, 11,979 pair socks, 10,798 pair shoes, besides many other articles. The socks were donated by the patriotic women of Alabama, and have been distributed free of charge. A large portion of the clothing has been manufactured by the Ladies Aid Societies, and the prices at which it has been furnished were reduced in proportion to the cost of manufacture thus saved. Besides these contributions, the women of Alabama have made up and distributed many thousand suits to companies and individuals in the service. The invaluable aid which they have thus rendered to our armies in the field, will be recorded in history as enduring evidence of their love of country, and will be held in admiration and grateful remembrance to the latest posterity.

The State has made its purchases of cloth directly from the factories, and at wholesale prices, and in all instances the Quartermaster department has averaged the prices at which the clothing has been sold, so that the soldiers might obtain it at cost and charges to the State at the point where it was furnished to them. And these prices have been uniformly less than any others at which they have been able to purchase clothing of like kind and description.

Any misapprehension which may have arisen upon this subject should be removed by the assurance that the State has never had any agents to sell or dispose of clothing, except the bonded officers in the Quartermaster Department, who receive stated salaries for their services, and whose accounts disclose with accuracy all the transactions in their respective offices. Their accounts and vouchers are under the control of the general assembly, and it is believed that upon examination, it will be found that the same have been faithfully and correctly kept.

I recommend additional appropriations to the Quartermaster department, to enable it to continue, and extend, if possible, its accommodations to our troops.

MANUFACTURE OF ARMS AND MUNITIONS OF WAR.

By the act "to encourage the manufacture of fire-arms and munitions of war in the State," approved December 7, 1861, the sum of two hundred and fifty thousand dollars was appropriated and placed under the control of the Governor, with authority to advance such portion of said sum as he

might deem advisable, upon contracts made with any individual or company proposing to manufacture fire-arms in the State of Alabama. Realizing the necessity for the establishment of a permanent armory within the State, where fire-arms of the most approved pattern may be manufactured, and believing that purpose could be secured by devoting the entire appropriation for its encouragement, I took steps, at an early day after the adjournment of the general assembly, to procure the organization of a company which should undertake its establishment; and on the 20th day of March last I concluded a contract with the "Alabama Arms Manufacturing Company," for that purpose. A copy of the contract and of the bond executed by the company, as directed by the provisions of the act, is herewith submitted for your information. The manufacture of arms upon an extended scale requires much complex machinery, and many nicely prepared tools, specially adapted to the business, and much time, labor and expense are necessarily required for their construction. The gentlemen composing the company are citizens of the State of Alabama, of large private capital, great energy of character, and of warm devotion to the State and the Confederacy. The company have already procured a most valuable supply of tools and machinery, and under the skillful direction of its affairs, there is good reason to believe that at no very distant day the company will have successfully inaugurated within the State a permanent armory for the manufacture of small arms of the most approved patterns, and unsurpassed in extent and efficiency by any other similar establishment in the Confederacy.

Under other appropriations made by the general assembly, for supplying small arms to the State, I have succeeded in closing contracts with responsible citizens of the State for the manufacture of eight thousand Mississippi rifles upon satisfactory terms, copies of which contracts are also herewith communicated. The works of Dickson, Nelson & Co., which were located in North Alabama, having been interrupted by the enemy, were removed to an adjoining State, where, unfortunately, after the works had been re-established, and the company were nearly ready to turn out arms, much of their valuable machinery and stock was destroyed by fire. With unflagging energy, however, they are repairing and pressing on for the fulfillment of their contract. It is believed that, under the other contracts, the parties have so far advanced with their work, that deliveries of arms may be confidently expected to begin in a few weeks.

I submit, also, a copy of a contract for the erection of a powder mill and the manufacture of powder within the State. It is hoped that before many months shall have elapsed, the State, as well as the Confederate Government, may be independent of the world as to this essential munition of war.

Purchases of private arms, to some extent, have been made, and alterations and repairs directed, so as to adapt them to service in the field. Many of them have been already issued for this purpose. For further information as to the purchase and manufacture of ordnance stores, and the quantity and description issued and on hand, the general assembly are referred to the report of the ordnance officer having the same in charge, herewith communicated.

I recommend further appropriations to the Ordnance department, to an amount sufficient to cover existing contracts for arms, and for the purchase of additional arms and ordnance stores.

HOSPITALS.

By the "act to provide a hospital for sick troops from Alabama in the army of the Potomac," approved November 9, 1861, the Governor was required to appoint an agent, with authority to proceed to the State of Virginia, and establish hospitals, and procure the necessary hospital supplies, for the use of Alabama troops; and thirty thousand dollars were appropriated for these purposes.

The Hon. Arthur F. Hopkins was appointed, by my predecessor in the executive office, the agent of the State under the act, who promptly repaired to Virginia; and, after due examination, established hospital accommodations in the city of Richmond. Under a subsequent "act to authorise the appointment of a surgeon-in-chief to the State hospital for sick soldiers of Alabama in the army of the Potomac," approved Dec. 7, 1861, I invited to that position Dr. C. J. Clark, Surgeon of the 10th Alabama regiment, then in Virginia, who, on acceptance of the appointment, was immediately transferred by the War Department, and entered upon the important duties of the office.

These timely provisions in aid of the medical department of the army, have afforded accommodations to large numbers of our sick and wounded soldiers, who, far away from kindred and home, were thus reminded of the material solicitude with which Alabama watches over and guards her heroic sons.

The administration of these hospitals has been most successfully conducted. Supplies to a considerable extent and of great variety, many of them the willing contributions of our patriotic citizens, have been forwarded through the Quartermaster Department of the State. The officers engaged are entitled to commendation for the ability and faithfulness with which they have discharged their high duties.

Woman, true to her sympathetic nature, has hallowed these establishments by her presence, a ministering angel to the suffering, dying warrior. The tender care, the laborious zeal, and the unreserved consecration with which Mrs. A. F. Hopkins, of Alabama, has devoted her time and energies to promote the comfort of our sick and wounded soldiers in Virginia, have excited the deepest gratitude in the hearts of our people.

Under other enactments by the general assembly, at its last session, five thousand dollars were appropriated for hospital accommodations at Florence and Huntsville, ten thousand dollars for the "Soldiers' Home in Montgomery," and twenty thousand dollars for the "Military Aid Society of Mobile." The appropriation to the "Soldiers' Home in Montgomery," has been exhausted, and the account of expenditures duly returned, audited and approved. Much the larger portion of the other appropriations has been likewise expended. In view of the great benefits conferred by these humane institutions, I recommend further appropriations to the Medical Department, and to such extent as, in the opinion of the general assembly, may be adequate to meet the probable necessities of the future.

THE PENITENTIARY.

On the 15th day of March last, the lessee of the Penitentiary, Dr. A. Burrows, was murdered by one of the convicts. This desperate felon was duly tried in the circuit court of Coosa county and convicted for the offense; and, on the 17th ultimo, expiated his crime on the gallows. Two other convicts, who interposed on the occasion of the murder, to sustain the police of the prison, were, in consideration of their laudable conduct, immediately pardoned and restored to liberty.

Upon the death of the lessee, it became the duty of the Inspectors to appoint a warden, and to employ the necessary officers and guards for the prison, which duty they performed with commendable promptness. Advertisements were

then made by me for bids for a lease of the Penitentiary for six years, as directed by law, but no bid was received. The failure to lease devolved upon the Executive the appointment of a Warden, who should hold his office until the end of the present session of the General Assembly. Dr. M. G. Moore, whose experience and efficiency had induced his appointment by the Inspectors, was re-appointed by me, and has discharged the duties of the office with unusual skill and benefit to the State.

For many years the management of the prison had been troublesome, and its receipts failed to meet expenditures. This occasioned a resort to the doubtful expedient of leasing the establishment to the highest bidder. The result was, that at the death of the late lessee, there was no machinery, and but a small quantity of tools, stock or furniture on hand belonging to the State. The prison contained on that day two hundred and five convicts. They had to be clothed, fed, and kept at labor as required by the law. To accomplish these ends, I purchased from the administrator of Dr. Burrows, the machinery, tools, and stock deemed necessary to employ the convicts most advantageously, at an appraised valuation of \$30,549 33; and the warden was directed to contract for provision supplies sufficient to maintain the prison to the end of the year. The sum of \$5,250 was drawn from the Treasury, and appropriated in aid of these purchases. I have the satisfaction to inform the General Assembly, that, under the efficient management of Dr. Moore, as Warden, this amount has been refunded to the Treasury, the entire debt contracted has been discharged, and that there is still a balance of \$27,000 cash on hand, after paying all expenses incurred in the administration of the prison. Owing to the fact that the sources from which these handsome profits have been derived may not continue, results so favorable need hardly be expected in the future. With the present valuable machinery and tools, and well regulated system, and without any debt or incumbrance upon it; there is, however, good reason to believe the prison may be operated by the State so as to avoid any charge upon the Treasury.

Your attention is invited to the reports of the Warden and of the Inspectors of the Penitentiary, and the recommendations therein contained. Should the General Assembly determine to continue the management of the prison under State direction, it will become their duty to elect a Warden during their present session.

UNIVERSITY OF ALABAMA.

The University of Alabama is in a condition of prosperity, and promises useful results, unsurpassed by its previous history.

The introduction of the military system of discipline and training, was a most timely and fortunate provision.

During the past spring, a large portion of the cadets were detailed as drill officers, by order of the Executive, to the various military camps of the State, to give instruction in the school of the soldier to the fresh troops who were entering the army.

Their gentlemanly deméanor, and the marked efficiency with which they discharged the duties thus assigned them, were appropriately acknowledged by the officers and men with whom they were associated.

Owing to want of accommodation, the number of the corps for the present term has been limited to two hundred. This number have been already commissioned, and still there are constant applications for admission, which are reluctantly declined. Organized, thoroughly disciplined, and subject—as the cadets are—to the military order of the Executive, they form a most valuable corps for the local defense, and it will be well in the present juncture, to increase its efficiency by every legitimate and proper means which can be provided by the State.

TAX ON COTTON.

The retreat of the Confederate armies from Kentucky and Tennessee in the early part of the year, made it apparent that without a recovery of those States, our armies must be sustained from the resources of the Cotton States. To accomplish this end, it became necessary to abandon the usual cotton crops, and to devote our lands chiefly, if not entirely, to the production of grain and provision-stuffs. With that noble spirit of consecration which has characterized them from the beginning of the war, the planters of Alabama responded to this necessity with a unanimity and cheerful acquiescence which adds new lustre to the name of Alabama. This day fully vindicates the wisdom of their action. Had they pursued a different policy, destitution and want would be seen, where now the rich harvest of breadstuffs is being gathered into our granaries. In some localities, fields were abandoned for want of labor and means of cultivation, while

in a large portion of the State the wheat crop was lost, and the continuous drought of summer reduced the average yield of corn far below the usual crop. But the returns made to the Executive office, in response to appropriate enquiries upon the subject, contain the gratifying assurance that, owing to the largely increased quantity of land planted in corn and other provision crops, there is an abundant supply for all the people of the State, and a heavy excess to spare for the use of our troops in the field.

Should there be any, who, disregarding the universal judgment, have devoted their land to the cultivation of cotton, they must be few in number and must now see the error of their course. It is true they had the power, though not the moral right, to do so, even if by so doing they periled the success of the Confederate cause. There was no law of the State to forbid them, nor would I recommend the adoption of such a statute, because it would trespass upon rights secured to every citizen under the constitution. But the subjects of taxation are within the legislative discretion, and as you may conceive it your duty to revise the revenue laws of the State, I suggest that a tax on cotton produced might be one of the modes adopted for raising revenue. Whatever quantity may be deemed necessary for home consumption, and for keeping up a sufficient supply of seed for future production when the war is ended, or fifteen hundred pounds of seed cotton to the hand, might be properly exempted from taxation; but whether all over and above that quantity, ginned or not ginned, should not be heavily taxed in proportion to its market value, is commended to your calm consideration. The power in the General Assembly thus to subject the cotton crop to taxation, I do not think can be denied. If the power to tax exists, it then becomes a question of state policy. The value of the staple in the manufacturing districts of the world has so greatly appreciated, that the temptations of avarice may induce its cultivation; even in opposition to the popular will. And if the vital interests of the State and the Confederacy would not be prejudiced thereby, its production should not be interrupted; but if, under the exigency of the savage war which is now being waged against us, the combined resources of our planters should be devoted to the production of grain and other provision supplies, the cultivation of cotton ought to be discouraged by legislative enactments as well as by an enlightened public opinion. Alabama being one of the largest cotton producing States, her voice and example in this

important crisis can not fail to impress most profoundly her sister Confederate States, their common enemy, and the nations of Europe.

Should the General Assembly, in their wisdom, deem it proper to legislate upon this subject, they can readily provide that, in the event of a termination of the war and the re-opening of our Confederate ports to commerce, all restrictions shall be removed.

CURRENCY AND CHANGE BILLS.

I invite your attention to the widespread evils growing out of the indiscriminate issue by corporations, companies and individuals, of change bills, and their circulation as currency. The laws of the State prohibiting their issue and circulation, and securing the right of any holder of such bills to sue and recover the same with fifty per cent. interest per annum, have wholly failed to check these evils; and in the daily transactions of commerce the laws of the State are openly disregarded and violated. The suspension of specie payments by the banks, and the absence of specie circulation, require the substitution of some kind of paper currency to supply the demands of commerce, but it is believed that these demands can be met by such legislation as will authorize the Treasurer of the State, the banks and such companies and corporations as may be designated by law, to issue change bills to an extent deemed needful for currency; and I recommend the adoption of such a policy. As additional checks against violation of the law, I recommend a heavy tax to be levied upon the issue of all change bills prohibited by law, and such amendments of the criminal code as, in your opinion, will suppress the evil.

PUBLIC LANDS.

During the last fiscal year ending on the thirtieth day of September, 1862, the aggregate sales of the public lands amounted to 84,888.42 acres, yielding the sum of \$24,985 90. Nearly all of these lands were entered under the graduation and homestead laws.

From enquiries made of the State Commissioner of Public Lands, it appears that over three millions of acres have been granted under various acts of Congress to the railroad companies in this State. These grants, in process of time, and under that skillful management which so uniformly dis-

tinguishes private and public administration of financial affairs, must yield large and profitable returns to the companies which have been made the recipients of these munificent bounties. The State cannot be advised as to the policy which may control the future sale and disposition of these lands, but the reasonable presumption may be indulged that the various companies will part with them in such quantities, at such times, and at such prices as the companies may conceive will yield the most favorable returns. It is believed that but few of these lands are now in the market, and scarcely any at the prices at which the public lands of the State may be purchased. The quantity remaining to the State, and now unsold, including swamp and overflowed lands, cannot exceed five millions of acres. In view of these facts, and of the large indebtedness which now impends the State, and the assistance which, under a wise administration of the public lands, may be derived from future sales and appropriations of their proceeds towards an extinguishment of this indebtedness, the propriety of continuing the present system presents a question of the gravest importance. Over sixty thousand troops, citizens of Alabama, are enlisted in the Confederate service, and are away from their homes and deprived of all privileges for examination and entry of lands for the benefit of their families. Whatever advantage the State might derive from competition which might be occasioned by their presence is lost, while the volunteers are themselves debarred from the same opportunities of profitable investment which are enjoyed by the home population. Speculation and extortion are seen on every hand, and it is fair to presume that they will speedily invade, if they have not done so already, such an inviting field as the public lands of the State present to cupidity and avarice. Within the last thirty days, the sum of \$17,969 16 have been paid into one of the land offices for lands entered at the highest market price. The reflection which I have been enabled to give to this important subject has induced the conclusion that it will be the best policy to limit, if not wholly suspend, all further sales of the public lands during the war. In such event, due provision can be made for the lease of such lands as parties may desire to occupy for the purpose of mining or other employments.

CONCLUSION.

In discharging the duty imposed upon me by the Consti.

tution, to give to the General Assembly information of the state of the Government, and to recommend such measures as I may deem expedient for the public welfare, I cannot close this communication without inviting the two Houses, and through them, the people of Alabama, to the cultivation of that spirit of mutual confidence, of firm, unyielding resolve, of patient endurance and heroic purpose, so essential to success in the mighty contest in which our people are now engaged. "To err is human," and if mistakes have been committed by those in charge of public affairs, it may also be found that the private citizen has not met every obligation due to his country. It is an easy task to look upon accomplished work, to review the labors and judge the motives of public men, but far more difficult to project plans and conduct them to success, to realize the sacrifices endured, and appreciate that sublime spirit which inspired the author, in sunshine and in storm, to press ever onward to their fulfillment. The history of mankind cannot afford a parallel with the wonderful energies displayed and brilliant triumphs achieved by these Confederate States. Forced, as they were, upon the very threshold of their new confederation, to engage in war for the defense of their inalienable right of self-government, without money or established credit, without an army or munitions of war, without a navy, and with the ports of the world closed against them, they have risen in their native strength and majesty, and by the energy of their people, the wisdom of their statesmen, the skill of their Generals, the unconquerable will of their troops, and by the interposition of the Almighty arm, they have successfully met and repulsed the vast columns which the enemy has hurled against them. The past is secure. The future, though overcast with clouds, and though it may trace its pathway in deeper sufferings and blood, will further illustrate the spirit of our people, and finally reveal to an admiring world a galaxy of free and independent States, redeemed, with the blessing of God, from despotic tyranny, by their own unaided power.

JNO. GILL SHORTER.

The message was read by the Secretary, and on motion by Mr. Jemison, was laid on the table, and 2,000 copies ordered to be printed for the use of the Senate.

A message from the House by Mr. Clitherall :

HOUSE OF REPRESENTATIVES,
November 11, 1862. }

Mr. President:

The House has originated and passed the following bills:

In relation to officers of court;

For the relief of Thomas Williams, administrator of Alvin Burrows;

The Senate proceeded to the consideration of the House message.

The House bill for the relief of Thomas Williams, administrator of Alvin Burrows;

Was read three times, under a suspension of the constitutional rule, and passed.

The House bill, in relation to officers of court;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Hill offered the following resolution:

Resolved, That a committee of five be appointed, whose duty it shall be to take into consideration the propriety of devising some plan by which the supplies needed for the support of the indigent families of soldiers in the Confederate service may hereafter be produced as nearly as possible within the limits of the several counties of the State, said committee to report by bill or otherwise.

The resolution was adopted.

Mr. President appointed Messrs. Hill, Coman, Ligon, Davis and Clarke, the committee under the above resolution.

On motion by Mr. Jemison,

The Senate adjourned until 10 o'clock to-morrow morning.

NOVEMBER 12, 1862.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Crump, Senator from Blount and St. Clair.

The President announced that he had appointed the following members to serve on the Standing Committees, as follows:

On Banks and Banking, Mr. Crump.

On Confederate Relations, Mr. Mathews.

On Military Affairs, Mr. Hammond.

On Corporations, Mr. Hill.

On Internal Improvements, Mr. Coman.

Upon the call of the districts, the following bills were introduced:

To authorize the banks of this State to furnish paper change bills for circulation, and other purposes ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Banks and Banking.

Mr. Rice, of Montgomery, a bill for the relief of Archibald G. Campbell ;

Mr. Moren, a bill to allow the Shelby county Iron Manufacturing Company to enter lands at a special price ;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on Public Lands.

Mr. Clarke, a bill relating to the printing of the reports of decisions of the Supreme Court ;

Mr. Harrison, a bill to amend an act approved February 8th, 1861, entitled "an act to regulate judicial proceedings" ;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Clarke, a bill for the relief of Adele Louise Dubose, of Marengo, administratrix of the estate of Josiah Dubose, deceased, late of said county ;

Mr. Barnes, a bill to amend chapter 1, title 13, part 1st, of the code of Alabama ;

Mr. Rice, a bill to authorize George Goldthwaite to rent or lease the real estate of his ward by private contract ;

Which were severally read three times, under a suspension of the constitutional rule, and passed.

On motion by Mr. Groce—

Resolved, The House concurring, that the two Houses will convene in the Hall of the House of Representatives to-morrow, at 12 o'clock m., and proceed to the election of a solicitor of the 5th judicial circuit.

On motion by Mr. Walker, the Governor's message was taken from the table, whereupon he offered the following resolutions, which were adopted :

Resolved 1st, That so much of the Governor's message as relates to the Treasury Department, Confederate War Tax, Finance and Taxation, and a special tax on Cotton, be referred to the Committee on Finance and Taxation.

Resolved 2d, That so much as relates to Public Lands, be referred to the Committee on Public Lands.

Resolved 3d, That so much as relates to the University and Education, be referred to the Committee on Education.

Resolved 4th, That so much as relates to the Penitentiary, be referred to the Committee on the Penitentiary.

Resolved 5th, That so much as relates to currency, change bills and Banking, be referred to the Committee on Banks and Banking.

Resolved 6th, That so much as relates to the manufacture of arms and munitions of war, hospitals, clothing of soldiers and military affairs, be referred to the Committee on Military Affairs.

On motion by Mr. Harrison—

Resolved, That the Committee on Public Lands be instructed to enquire into the expediency of suspending the further entry of public lands during the continuance of the present war, and report by bill or otherwise.

From the Judiciary Committee, Mr. Ligon reported favorably to the bill to provide for taking of testimony by registers in chancery ;

And Mr. Stone, favorably to the bill to regulate the interest upon debts in payment of which Confederate Treasury notes may be tendered and refused ;

Which were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Barnes, from the same committee, reported favorably to the bill to legalize private sales made by the administrator of Alvin Burrows, deceased.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Clarke, from the Military Committee, reported favorably to the bill to amend an act entitled an act to provide for the public safety.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Rice, of Montgomery, from the Judiciary Committee, reported favorably to the House bill in relation to the officers of court.

Mr. Stone moved to amend as follows :

Add to section 1, the following proviso: "Provided, that nothing herein contained shall be construed to destroy any right of the attorney general or solicitors given by any existing law."

Mr. Rice moved to lay the amendment on the table ;

Which was lost.

The Senate refused to adopt the amendment.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Message from the House by Mr. Eason :

HOUSE OF REPRESENTATIVES,
November 12, 1862. }

Mr. President :

The House has originated and passed the following bills :

To authorize the court of county commissioners of Sumter county to pay certain claims against said county ;

To relieve from taxation property carried off or destroyed by the enemy ;

To provide for the taking of testimony upon interrogatories in certain criminal cases ;

To authorize the Confederate States to purchase and hold in Alabama a site for rolling mills, foundry, &c., for the manufacture of ordnance, &c.;

The House has also passed the Senate bill for the relief of Wm. Walthall, tax collector of Wilcox county ;

Has amended as therein shown and passed the Senate bill to aid the Confederate Government in providing shoes for the Alabama soldiers in the Confederate army, and to impress the materials suitable for such shoes.

The House concurred in the resolution of the Senate in relation to the election of a solicitor for the 5th judicial circuit to-morrow at 12 o'clock m., and has amended the same by inserting the words, 'and secretary of state, comptroller, and State treasurer,' after words "judicial circuit."

The Speaker has appointed Messrs. Mabry, Wolff and Williams, as the committee on the part of the House required by law to be appointed within the first week of the session of the General Assembly, to examine the offices of State treasurer and comptroller of public accounts.

A. B. CLITHERALL.

Mr. Harrison, from committee on Banks and Banking, reported favorably to the bill to authorize the Banks to issue small notes under one dollar.

Mr. Cato moved to amend by adding to 1st section the following proviso :

Provided, however, That said notes shall be made redeemable in Treasury notes of this State, or of the Confederate States, when the sum of five dollars is presented.

On motion by Mr. Walker, the further consideration of the bill and amendment was postponed until to-morrow 12 o'clock, and made the special order for that hour.

Mr. Clarke, from the Judiciary Committee, reported adversely to the bill to detach certain counties from the Mid-

dle chancery division and attach them to the Southern chancery division, and in like manner to detach, &c.

Mr. Rice, of Montgomery, moved to lay the report on the table;

Which was lost.

The report was concurred in and the bill lost.

By leave, Mr. Jemison introduced the following joint resolutions:

Joint resolutions in relation to the payment of the first instalment of the fund appropriated for the support of indigent families under the act approved Nov. 12, 1862, to certain counties therein named;

Which were read three times, under a suspension of the constitutional rule, and adopted.

Mr. Jewett, from the committee on Public Lands, reported favorably to the bill fixing the time within which proof of occupation and settlement may be made in certain cases, with the following amendments:

Fill the blank in section 1 as follows: "Section 23 of an ordinance of March 20, 1861, in relation to the waste and unimproved land in the State of Alabama";

2d. Insert after the words "may have died," in the 1st section, the words "or may hereafter die";

The amendments were adopted and the bill read a third time, under a suspension of the constitutional rule, and passed.

The bill was amended so as to read:

Fixing the time within which proof of settlement and improvement on public lands may be made in certain cases.

Mr. Cato, from the Judiciary Committee, reported adversely to the bill to amend and explain section 28 of an ordinance therein named, and to authorize persons who have been compelled to pay \$2 50 per acre for land which might have been entered at \$1 25, to enter other lands to the extent overpaid;

The report was concurred in and the bill lost.

Mr. Reavis, from the committee on Public Lands, reported adversely to the bill for the relief of John T. Milner & Company;

The bill was recommitted to the committee on the Judiciary.

A message from the House of Representatives by Mr. Eason:

Announcing the adoption of the joint resolutions from

the Senate in relation to the payment of the first instalment of the fund appropriated for the support of indigent families under the act approved Nov. 12, 1862, to certain counties therein named.

Mr. Reavis, from the Military Committee, reported favorably to the bill further to provide for the defence of Alabama against invasion and insurrection;

Pending the consideration of which, on motion by Mr. Rice of Montgomery,

The Senate adjourned until to-morrow morning 10 o'clock.

NOVEMBER 13, 1862.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Petrie.

On motion by Mr. Jewett, leave of absence was granted to Mr. Toulmin, senator from Mobile.

Mr. President. announced Messrs. Harrison, Coman, and Jewett, as the Senate committee, to be appointed within the first week of the session of the General Assembly, to examine the offices of comptroller of public accounts and State treasurer.

Upon a call of the districts, the following bills were introduced:

Mr. Jewett, a bill to aid the Mobile and Great Northern Rail Road Company;

Which was read twice, under a suspension of the constitutional rule, and referred to the committee on Public Lands.

Mr. Lewis, a bill to amend section 1140 of the code of Alabama as to Coffee, Covington and Walker counties during the present war;

Mr. Lewis, a bill to authorize the sheriff and other officers in the county of Russell to make publication in a newspaper in Columbus, Ga;

Which were severally read three times, under a suspension of the constitutional rule and passed.

Mr. Lewis, a bill to prevent the making of whisky and other spirits;

Mr. Ligon, a bill to authorize the executors of N. B. Powell, deceased, to settle said estate without the intervention of the probate court;

Mr. Rice, of Montgomery, a bill to suspend judicial proceedings for a limited time against the Bank of Alabama as to the forfeiture of its charter in case it may hereafter suspend specie payment;

Mr. Reavis, a bill to remove the estate of Nancy M. Thompson, deceased, from Tuscoloosa to Greene county in this State;

Also, a bill to repeal an act entitled "an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved Feb. 24, 1860, so far as it relates to life insurance companies incorporated by any of the Confederate States, which does not take fire, river, or marine risks;

Mr. Barnes, a bill to repeal in part and modify an act to regulate judicial proceedings, approved Dec. 10, 1861;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

On motion, the Senate proceeded to the consideration of the amendments of the House to the Senate resolution proposing to elect a solicitor for the 5th judicial circuit at 12 m. to-day;

When the resolution and amendments were laid on the table.

By leave, Mr. Rice, of Montgomery, offered the following resolution:

Resolved, The House concurring, that the two Houses will convene in the Hall of the House of Representatives at 12 o'clock noon to-day and elect a secretary of state, comptroller, and State treasurer;

Which was adopted.

On motion, reports from standing committees were dispensed with in order to take up messages from the House.

The Senate refused to concur in the amendments of the House to the Senate bill to aid the Confederate Government in providing shoes for the Alabama soldiers in the Confederate army, and to impress the materials suitable for such shoes.

The House bills, to authorize the Confederate States to purchase and hold in Alabama a site for rolling mills, foundry, &c., for the manufacture of ordnance, &c.;

To provide for the taking of testimony upon interrogatories in certain criminal cases;

Were read three times, under a suspension of the constitutional rule, and passed.

The House bill to authorize the court of county commissioners of Sumter county to pay certain claims against said county;

Was read three times, under a suspension of the consti-

tutional rule, and referred to the committee on the Judiciary.

The House bill to relieve from taxation property carried off or destroyed by the enemy;

Was read three times, under a suspension of the constitutional rule, and the question being on the passage of the bill the vote was as follows:—yeas 15, nays 10.

Yeas—Messrs. President, Barnes, Cato, Coman, Hammond, Hill, Jackson, Jemison, Jewett, Ligon, Morgan, Patton, Reavis, Stone, Walker—15.

Nays—Messrs. Brewer, Clarke, Crump, Davis, Groce, Hardwicke, Harrison, Lewis, Moren, Rice of Montgomery—10.

The President decided that the bill was of that class which comes under the provision of the 33d section 3d article of the constitution, and that two-thirds of the whole Senate elected was required to pass the bill—this not being obtained, the President declared the bill lost, from which Mr. Walker took an appeal.

The question being, shall the decision of the chair be the decision of the Senate?

Was decided in the affirmative—yeas 18, nays 6.

Yeas—Messrs. Brewer, Cato, Clarke, Coman, Crump, Davis, Groce, Hammond, Hardwicke, Harrison, Hill, Jackson, Jewett, Ligon, Lewis, Moren, Rice of Montgomery, Stone—18.

Nays—Messrs. Barnes, Jemison, Morgan, Patton, Reavis, Walker—6.

Message from the Governor by his private Secretary, Mr. Taylor:

Mr. President :

The Governor has approved the joint resolutions in relation to the payment of the first instalment of the fund appropriated for the support of indigent families under the act approved Nov. 12, 1862, to certain counties therein named, which resolutions originated in the Senate.

A message from the House of Representatives by Mr. Eason :

HOUSE OF REPRESENTATIVES, }
November 13th, 1862. }

Mr. President :

The House of Representatives has originated and passed the following bills :

To amend the act approved Dec. 10, 1861, entitled an act to regulate judicial proceedings;

To amend an act approved Feb. 5, 1856, entitled an act more effectually to secure subordination among slaves, by requiring the owner or overseer to reside with them;

In relation to the transfer of insane convicts from the Penitentiary to the hospital for insane persons;

To repeal an act entitled an act for the relief of insane convicts in the Penitentiary;

To amend an act approved Dec. 7, 1861, entitled an act to exempt from taxation a certain amount of property of volunteers and the widows of deceased volunteers;

And has adopted joint resolutions in relation to the defense of Mobile;

And concurred in the resolution of the Senate to elect at 12 m. to-day a comptroller, secretary of state and treasurer.

Mr. President laid before the Senate a message and accompanying document from the Governor in relation to the steamer Florida;

Which on motion were referred to the committee on Accounts and Claims.

Mr. Brewer, from committee on Enrolled Bills, reported as correctly enrolled,

Joint resolutions in relation to the payment of the first instalment of the fund appropriated for the support of indigent families under the act approved Nov. 12, 1862, to certain counties therein named;

And the bill for the relief of Mr. Walthall, tax collector of Wilcox county.

The hour of 12 o'clock m. having arrived, the Senate was invited into the hall of the House for the purpose of electing a secretary of state, comptroller of public accounts and State treasurer.

The Senate repaired to the hall of the House, where the two Houses in convention proceeded to the election of a secretary of state.

Mr. Jackson placed in nomination the name of P. H. Brittan, of Montgomery county.

Mr. Mason placed in nomination the name of Sampson Lanier, of Macon county.

Those who voted for Mr. Lanier are:

Messrs. Ligon and Lewis, of the Senate—2.

Messrs. Bozeman, Brasher, Foster, Gullett, Judkins, Lawler, Liddell, Logan, Lynch, Mabry, Malone, Mason, Maxwell, McDonald, Parke, Pickett, Thompson of Choctaw,

Thompson of Macon, Walthall, Wilkerson, Williams and Wolff, of the House—22.

Those who voted for Mr. Brittan are:

Messrs. President, Barnes, Brewer, Cato, Clarke, Coman, Crump, Davis, Groce, Hammond, Hardwicke, Harrison, Hill, Jackson, Jemison, Jewett, Moren, Morgan, Patton, Reavis, Rice of Montgomery, Stone and Walker, of the Senate—23.

Messrs. Speaker, Aldridge, Arrington, Ashley, Bass, Ben-ners, Berry, Brindley, Burnett, Butler, Cabaness, Calhoun, Carter, Caruth, Cobb, Coleman, Davis, Denman, Ellis, Foreman, Griffin, Herrin, W. J., Herron, E. M., Horn, Jemison, Johnson, Jones, Langdon, Latham, Lee, Lewis, Little, W. W., Little, B. B., Martin, W. B., Martin Aberto, Middleton, Miller, Miree, McCall, McClelen, S. D., McClelland, T. J., Neal, Orr, Ott, Parker, Parish, Penn, Posey, Pratt, Reynolds, Rives, Robinson, Slade, Smith, Snodgrass, Starke, Tally, Ussery and Walden, of the House—59.

Mr. Brittan having received 83 votes, it being a majority of all the votes cast, Mr. Speaker declared him duly and constitutionally elected Secretary of State of Alabama for the term prescribed by the Constitution.

The convention then proceeded to the election of Comptroller of Public Accounts.

Mr. W. J. Greene, the present incumbent, alone being in nomination, and having received one hundred and three (103) votes, it being the whole number cast, and a majority. Mr. Speaker declared him duly elected Comptroller of Public Accounts for the State of Alabama for the term prescribed by the Constitution.

The Convention then proceeded to the election of a State Treasurer.

Mr. Duncan B. Graham, the present incumbent, alone being in nomination, and having received one hundred and two (102) votes, it being the whole number cast, and a majority, Mr. Speaker declared him duly and constitutionally elected State Treasurer for the State of Alabama for the time prescribed by the Constitution.

The Convention having concluded the business for which it had assembled,

The Senate returned to its chamber.

The House joint resolutions in relation to the defense of Mobile were adopted.

The House bill to amend an act approved Dec. 7, 1861, entitled an act to exempt from taxation a certain amount of property of volunteers and widows of deceased volunteers;

Was read three times, under a suspension of the constitutional rule, and passed.

The House bill to repeal an act entitled an act for the relief of insane convicts in the Penitentiary;

In relation to the transfer of insane convicts from the Penitentiary to the hospital for insane persons;

Were severally read twice and referred to the committee on Insane Hospital.

The House bills to amend the act approved Dec. 10, 1861, entitled an act to regulate judicial proceedings;

To amend an act entitled an act the more effectually to secure subordination among slaves by requiring the owner or overseer to reside with them, approved February, 5th, 1856;

Were severally read twice and referred to the Judiciary Committee.

A message from the House of Representatives by Mr. Eason:

HOUSE OF REPRESENTATIVES,
November 13th, 1862. }

Mr. President:

The House of Representatives has originated and passed the following bills:

In relation to homicides committed by convicts in the Penitentiary for life;

To amend the charter of the Planters' Insurance Company;

For the relief Robert S. Rabb, of Conecuh county;

To amend the charter of the Shelby County Iron Manufacturing Company;

To incorporate the Bibb County Iron Company.

On motion by Mr. Clarke—

Resolved, That the Judiciary Committee be instructed to enquire into and report by bill or otherwise, whether any and what legislation is necessary to compel the circuit court judges of this State to hold the regular terms of their courts for the trial of criminal cases.

The Senate proceeded to the consideration of the special order for this day, it being the bill to authorize the banks to issue small notes under one dollar.

The question pending being the adoption of the amendment offered by Mr. Cato, Mr. Jemison moved to lay the bill and amendment on the table;

Which was lost.

Mr. Rice, of Montgomery, moved to lay the amendment on the table;

Which was carried.

Whereupon he moved to amend the bill by substitute;

Which was adopted.

Mr. Walker moved to amend by additional sections, as sections 2, 3, 4 and 5.

Pending the consideration of which amendments the Senate adjourned until to-morrow morning 10 $\frac{1}{2}$ o'clock.

NOVEMBER 14, 1862.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Hill, Senator from Lawrence, Winston and Walker.

A message was received from the Governor by his Private Secretary, Mr. Taylor, announcing that the Governor had approved the Senate bill for the relief of Wm. Walthall, tax collector of Wilcox county.

Upon the call of the districts, the following bills were introduced:

Mr. Brewer, a bill to amend an act entitled an act to incorporate the South Alabama Manufacturing Company, approved Feb. 24, 1860;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Barnes, a bill to repeal the 2d section of an act to raise revenue from crops loaned, and other purposes, approved Dec. 10th, 1861;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Groce, a bill for the relief of Margaret Lurch, of Montgomery county.

Also, a bill to arrest extortion in articles of vital necessity;

Which were severally read twice, and referred to the Committee on the Judiciary.

Message from the House by Mr. Eason:

HOUSE OF REPRESENTATIVES,
November 14, 1862. }

Mr. President:

The House has originated and passed the following bills:

To authorize the Governor to borrow money on the credit of the State to replenish the Treasury, until further provision is made by law.

The House has passed the Senate bill to amend chapter 1, title 13, part 1, of the code of Alabama.

The House adheres to its amendment to the Senate bill to aid the Confederate government in providing shoes for the Alabama soldiers in the Confederate army, and to impress the material suitable for such shoes;

And has appointed Messrs. Lawler, Benners and W. B. Martin, a committee of conference on the part of the House on said bill.

Mr. Brewer, from the Committee on Enrolled Bills, reported as correctly enrolled, the bill to amend chapter 1, title 13, part 1, of the code of Alabama.

By leave, Mr. Ligon offered the following resolution:

Resolved, The House concurring, that the two Houses will convene in the hall of the House, at 12 o'clock, m., to-morrow, for the purpose of electing a solicitor for the 5th judicial circuit.

Mr. Cato moved to amend by adding "a trustee for the State University to fill the vacancy occasioned by the death of Hon. E. Q. Bullock."

Mr. Morgan moved to amend by adding "a trustee for the State University to fill the vacancy occasioned by the death of Hon. J. L. Storrs."

Mr. Brewer moved to amend by adding "and a warden of the penitentiary";

All of which amendments were severally adopted.

The resolution was adopted.

Reports from committees being in order, the first in order being the report of Mr. Reavis, upon the bill to further provide for the defense of Alabama against invasion and insurrection.

Mr. Clarke moved to suspend the consideration of the report in order to take from the table the resolution in relation to the adjournment of the General Assembly *sine die* on Saturday, the 15th inst;

Which motion was lost.

On motion by Mr. Rice, of Montgomery, the bill was re-committed to the Committee on Military Affairs.

Mr. Rice, of Montgomery, from the Judiciary Committee, reported favorably to the bill for the relief of John T. Milner & Co., with the following amendment:

Provided, however, That before the issue of any such cer-

tificates by the said commissioner, the said John T. Milner & Co. must execute and file with him good and sufficient security, to be approved by him, in the penal sum of \$5,000, payable to the State of Alabama, and conditioned to become inoperative if the said John T. Milner & Co. shall sure the said State harmless from all loss and damage by reason of any use heretofore made or hereafter to be made of any of the said land warrants.

On motion by Mr. Rice, of Montgomery, the further consideration of the bill and report was postponed until Monday morning 10 o'clock:

Mr. Brewer, from the Committee on Public Lands, reported favorably to the bill for the relief of Archibald G. Campbell.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Harrison, from the Committee on Banks and Banking, to which was referred the bill to authorize the banks of this State to furnish paper change bills for circulation, and for other purposes, reported that inasmuch as the 1st section of said bill had already been acted on, beg leave to return the bill and recommend that the other sections be referred to the Judiciary Committee, as they relate to the penal code.

The report was concurred in, and the bill referred as recommended by the committee.

Mr. Hammond, from the Committee on Accounts and Claims, to which was referred the bill to compensate the owners of the steamer Florida from the time it was taken for the public use, until it was paid for, reported that the bill be amended so as to allow interest at 8 per cent. for eleven and a half months, being the time between the taking of the boat by the State of Alabama, and the time when it was paid for, which amount was six thousand nine hundred dollars.

On motion by Mr. Ligon, the bill and report were laid on the table.

A message was received from the Governor by his private Secretary, Mr. Taylor, announcing his approval of the Senate bill to amend chapter 1, title 13, part 1, of the code of Alabama.

A message was received from the House announcing that the House had amended the Senate resolution in relation to the election of a solicitor for the 5th judicial circuit, &c., on Saturday, 15th inst., by striking out "Saturday, 15th inst.,"

and inserting "Wednesday next," and as amended had adopted the same.

The Senate concurred in the amendment.

Mr. Jewett, from the Committee on the Judiciary, reported favorably to the bill to suspend judicial proceedings for a limited time against the Bank of Alabama, as to the forfeiture of its charter in case it may hereafter suspend specie payments.

The constitutional rule was suspended, and the bill read a third time and passed—yeas 14, nays 7.

Yeas—Messrs. Barnes, Brewer, Clarke, Crump, Davis, Groce, Harrison, Jewett, Ligon, Moren, Morgan, Reavis, Rice of Montgomery, Walker—14.

Nays—Messrs. President, Cato, Coman, Hammond, Hardwicke, Jemison, Stone—7.

Mr. Clarke asked leave of absence for Messrs. Patton and Jackson;

Which was granted.

Mr. Reavis, from the Judiciary Committee, reported favorably to the bill to remove the estate of Nancy M. Thompson, deceased, from Tuscaloosa to Greene county, in this State;

The constitutional rule was suspended and the bill read a third time and passed.

The Senate proceeded to the consideration of the House messages.

The House bill in relation to homicides committed by convicts in the Penitentiary for life,

Was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bill to authorize the Governor to borrow money on the credit of the State, to replenish the treasury until further provision is made by law;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

The House bills, to incorporate the Bibb County Iron Company;

To amend the charter of the Shelby County Iron Manufacturing Company;

To amend the charter of the Planters' Insurance Company;

Were severally read twice, under a suspension of the constitutional rule, and referred to the committee on corporations.

The House bill for the relief of Robert S. Rabb, of Conecuh county;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

The Senate proceeded to the consideration of the bill under discussion at the adjournment yesterday, to-wit:

The bill to authorize the Banks to issue small notes under one dollar.

The question pending being the adoption of the amendment offered by Mr. Walker, the bill and amendment were recommitted to the committee on the Judiciary.

The Senate agreed to the committee of conference asked for by the House upon the matters of disagreement between the two Houses in regard to the bill to aid the Confederate Government in providing shoes for the Alabama soldiers in the Confederate army, and to impress the materials suitable for making such shoes.

Messrs. Jemison, Walker and Ligon were appointed the committee on the part of the Senate.

Mr. Barnes offered the following resolution:

Resolved, The House concurring, that the two Houses of the General Assembly adjourn *sine die* on Saturday, the 22d inst., at 12 o'clock m.

Mr. Rice, of Montgomery, moved that the Senate do now adjourn until 15 minutes to 10 o'clock to-morrow morning;

Which was lost—yeas 5, nays 17.

Yeas—Messrs. Coman, Davis, Harrison, Reavis, Rice of Montgomery—5.

Nays—Messrs. President, Barnes, Brewer, Cato, Clarke, Crump, Groce, Hammond, Hardwicke, Hill, Jemison, Jewett, Ligon, Moren, Morgan, Stone, Walker—17.

Mr. Rice, of Montgomery, moved to amend as follows:

Strike out the words "on Saturday" and all thereafter, and insert the following: "As soon as the two Houses discover that they have done their duty to their country."

Mr. Jemison moved to lay the amendment on the table.

Mr. Rice moved to amend Mr. Jemison's motion by inserting the words "and the resolution."

A division of the question being called for, the question was first taken on Mr. Jemison's motion to lay the amendment on the table;

Which was carried—yeas 12, nays 7.

Yeas—Messrs. President, Barnes, Clarke, Coman, Crump, Groce, Hammond, Hardwicke, Hill, Jemison, Stone, and Walker—12.

Nays—Messrs. Brewer, Harrison, Jewett, Moren, Morgan, Reavis, Rice of Montgomery—7.

The question was then taken on Mr. Rice's motion to lay the resolution on the table;

Which was carried—yeas 11, nays 10.

Yeas—Messrs. President, Brewer, Cato, Davis, Harrison, Hill, Moren, Morgan, Reavis, Rice of Montgomery, Walker—11.

Nays—Messrs. Barnes, Clarke, Coman, Crump, Groce, Hammond, Hardwicke, Jemison, Jewett, Stone—10.

Mr. Clarke moved to adjourn until to-morrow morning 15 minutes to 10 o'clock;

Which was lost—yeas 10, nays 10.

Yeas—Messrs. President, Brewer, Cato, Clarke, Davis, Hardwicke, Hill, Jewett, Reavis, Walker—10.

Nays—Messrs. Barnes, Coman, Crump, Groce, Harrison, Jemison, Moren, Morgan, Rice of Montgomery, Stone—10.

On motion of Mr. Hill the Senate took an informal recess for 15 minutes, at the expiration of which time the President called the Senate to order, and

On motion by Mr. Brewer the Senate adjourned until 15 minutes past 10 o'clock to-morrow morning—yeas 14, nays 3.

Yeas—Messrs. President, Brewer, Cato, Clarke, Crump, Davis, Groce, Harrison, Hill, Jewett, Ligon, Moren, Morgan, Walker—14.

Nays—Messrs. Barnes, Reavis, Rice of Montgomery—3.

NOVEMBER 15, 1862.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Davis.

Upon the call of the districts the following bills were introduced:

Mr. Davis, a bill for the relief of Micajah Tompkins and Elean Melvin, of the county of Covington;

Mr. Harrison, a bill to compensate Cornelius Robinson, jr., for the loss of a negro by disease contracted at work on State fortifications, accompanied with a petition;

Mr. Barnes, a bill to repeal an act the more effectually to secure subordination among slaves by requiring the owner or overseer to reside with them, approved Feb. 5, 1856;

All of which were severally read twice and referred to the committee on the Judiciary.

Mr. Brewer, a bill to encourage the manufacture of saltpetre in certain counties therein named;

Mr. Groce, a bill to confirm titles to land to Thomas A. Cast and James L. Orr, of the county of Talladega;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the committee on Public Lands.

Mr. Barnes, a bill to provide for making persons absent in the Confederate army parties to applications to probate wills and for grants of administration.

Mr. Rice, of Montgomery, a bill to prevent the lease of the Penitentiary and provide for the election of a Warden thereof;

Which were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Crump, a bill to prevent extortion;

Which was read twice, under a suspension of the constitutional rule, and referred to the committee on Finance and Taxation.

Mr. Rice, of Montgomery, from the Judiciary Committee, to which was referred the bill to authorize the Banks to issue small notes under one dollar, with the pending amendment, reported adversely to the adoption of the amendment, and favorably to the passage of the bill.

Mr. Harrison moved to amend by striking out 5 and inserting 3 before millions.

A division being called for, the question was first taken on striking out;

The motion was lost.

By leave, Mr. Walker withdrew the amendment;

The constitutional rule was suspended and the bill read a third time and passed.

The caption was amended so as to read:

To amend an act to authorize the issuance of Treasury note change bills by the State of Alabama, approved Nov. 12, 1862.

Mr. Davis, from the committee on the Judiciary, reported favorably to the House bill to amend the act approved Dec. 10, 1861, entitled an act to regulate judicial proceedings;

The constitutional rule was suspended and the bill read a third time and passed.

Mr. Harrison, from the Committee on Banks and Banking, reported favorably to the House bill to establish a Bank in the town of Opelika, Ala., to be called the Exchange Bank of Alabama.

The constitutional rule was suspended, and the bill read a third time and passed—yeas 18, nays 5.

Yeas—Messrs. Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Jemison, Ligon, Lewis, Mathews, Reavis, Rice of Montgomery, Stone and Walker—18.

Nays—Messrs. President, Coman, Hardwicke, Hill and Moren—5.

On motion by Mr. Jewett—

Resolved, That a special committee of five Senators be appointed, to which shall be referred all questions relating to the production and supply of salt in the State of Alabama by private parties or agents of the State.

2. Resolved, That said committee be instructed to inquire what further legislation, if any, and what is advisable in regard to the salt reserves authorized to be leased by the State at the last regular session of the General Assembly, but which have not yet been leased.

Mr. President (Mr. Walker in the chair) appointed Messrs. Jewett, Clarke, Jemison, Reavis and Rice, the Committee.

Message from the House by Mr. Eason :

HOUSE OF REPRESENTATIVES, }
November 15, 1862. }

Mr. President :

The House has originated and passed the following bills :

For the relief of the assessor and collector of taxes for Madison and other counties ;

To amend the road law in Choctaw county ;

To authorize the enrollment of the creoles of Mobile ;

To suspend the operation of the statute of non-claims ;

To change the time of holding the circuit courts in Marion, Walker and Winston counties, and for other purposes.

For the extension of the time of settlement and cultivation of lands entered under the 36th section of the ordinance of the convention of the State of Alabama ;

For the defense of the northern part of the State ;

To suspend a portion of the act in relation to the funded debt of the city of Mobile.

The House has passed the Senate bill to provide for the taking of testimony by registers in chancery ;

For the relief of Archibald B. Bell, of Calhoun county ;

For the relief of Adele Louise Dubose, of Marengo county, administratrix of Isaiah Dubose, deceased, late of said county ;

To authorize the sheriff and other officers of the county

of Russell, to make publication in a newspaper published in the city of Columbus, Ga.;

To regulate the interest upon debts in payment of which Confederate Treasury notes may be tendered and refused.

To amend an act to provide for the public safety;

And has amended and passed the Senate bill to amend section 1140 of the code of Alabama, as to Coffee, Covington and Walker counties.

The Senate proceeded to the consideration of the House messages.

The House bill for the defense of the northern part of the State;

Was read three times, under a suspension of the constitutional rule, and passed—yeas 21, nays 0.

Yeas—Messrs. Barnes, Brewer, Cato, Clarke, Coleman, Coman, Crump, Davis, Groce, Hammond, Hardwicke, Heflin, Hill, Jewett, Ligon, Lewis, Mathews, Reavis, Rice of Montgomery, Stone, Walker—21.

Nays—None.

The House bills—

To change the time of holding the circuit courts in Marion, Winston and Walker counties, and for other purposes;

For the relief of the assessor and collector of taxes for Madison and other counties;

To amend the road law in Choctaw county;

Were severally read three times, under a suspension of the constitutional rule, and passed.

The House bill to authorize the enrollment of the creoles of Mobile;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Military Affairs.

The House bills—

To suspend the operation of the statute of non-claim in certain cases;

To suspend a portion of an act in relation to the funded debt of the city of Mobile;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on the Judiciary;

The House bill for the extension of the time of settlement and cultivation of lands entered under the 36th section of the ordinance of the convention of the State of Alabama;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Public Lands.

The Senate concurred in the amendment of the House to

the bill to amend section 1140 of the code of Alabama, as to Covington, Coffee and Walker counties.

On motion by Mr. Clarke—

1. Resolved, That the Senate has heard with profound sorrow of the death of Gen. Villipigne, whose lofty character and gallant conduct had endeared him to the people of Alabama.

2. That his loss to the Confederacy for whose liberties he nobly sacrificed his life, and to our army, which he so brightly adorned, is sincerely deplored.

3. That as a testimonial of our high respect and admiration for the character of the deceased, the Senate do now adjourn until 10 o'clock, Monday morning.

The resolutions were adopted unanimously.

Whereupon the President (Mr. Walker in the chair) declared the Senate adjourned until Monday morning 10 a. m.

NOVEMBER 17, 1862.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Crump, Senator from Blount and St. Clair.

Mr. President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT. }

November 13th, 1862. }

To the Honorable President of the Senate:

Sir—I have the honor through you to submit to the Senate, for approval or rejection, the name of Capt. R. T. Nott, of Greene county, for the office of Trustee of the Hospital for Insane persons, for six years, under the provisions of the act to establish a State hospital, approved Feb. 6th, 1852.

At the request of my predecessor, I beg leave to suggest that Capt. Nott was appointed Trustee on Feb. 4th, 1858, for four years, and that his term of service expired on the 4th Feb., 1862, since which time his place in the Board of Trustees has been vacant. This originated in an error of the Governor in supposing that the term of service of Hon. Porter King had expired, when in fact he was appointed and confirmed in 1860, for six years.

The appointment of Judge King, at the last session of the Legislature, was void, and leaves the place of Capt. R. T. Nott, vacant.

I am advised that he made a very efficient and acception able trustee.

JNO. GILL SHORTER.

On motion, the nomination was confirmed.

Mr. President also laid before the Senate the following communication from the Governor :

EXECUTIVE DEPARTMENT, }
NOVEMBER 15, 1862. }

Gentlemen of the Senate and House of Representatives :

I herewith communicate the report of Dr. Peter Bryce, Superintendent and Physician of the Insane Hospital, and the report of the Trustees and Treasurer of the Institution. These reports contain much interesting and valuable information, and their publication and distribution throughout the State would accomplish beneficial results.

JNO. GILL SHORTER.

On motion the report was referred to the committee on the Insane Hospital.

Mr. Rice, of Montgomery, at his request was excused from serving on the Select Committee on the subject of salt supply, and Mr. Harrison was placed on the committee.

On motion by Mr. Walker leave of absence was granted to Mr. Hammond.

On motion by Mr. Rice of Montgomery, the special order for the hour of 10 o'clock, it being the bill for the relief of John T. Milner & Co., was postponed until Monday next and made the special order for 10 o'clock.

On motion by same, the call of the districts was dispensed with.

By leave the following bills were introduced :

Mr. Coleman, a bill for the relief of John P. Cantrell, of Marion county, and for other purposes ;

Which was read twice, under a suspension of the constitutional rule, and referred to the committee on Propositions and Grievances.

Mr. Stone, a bill to provide for State defense, and for deficit in the treasury by the issuance of treasury notes ;

Which was read twice and referred to the committee on Finance and Taxation.

Mr. Walker, a bill to authorize railroad companies in this State to issue change bills ;

Which was read three times, under a suspension of the constitutional rule, and lost—yeas 5, nays 15.

Yeas—Messrs. President, Groce, Jewett, Rice of Montgomery, Walker—5.

Nays—Messrs. Barnes, Brewer, Cato, Crump, Davis, Harrison, Hardwicke, Heflin, Hill, Jemison, Mathews, Moren, Morgan, Reavis, Stone—15.

Mr. Rice, of Montgomery, a bill to authorize the Governor to sieze salt for the public use;

Which was read twice, under a suspension of the constitutional rule, and referred to the select committee on Salt.

Mr. Reavis, a bill supplementary to an act entitled an act to provide spinning or cotton and wool cards;

Which was read a third time, under a suspension of the constitutional rule, and passed.

Mr. President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT, }
MONTGOMERY, ALABAMA, November 17th, 1862. }

Gentlemen of the Senate and House of Representatives :

Under the act of Dec. 9th, 1861, for the relief of insane convicts in the Penitentiary, I appointed James C. Harris, Thomas W. Mason, and M. G. Moore, who are physicians of skill and experience, as a board of examiners to examine and report the condition of seven convicts in the Penitentiary, whom the physician of the Penitentiary had reported to me to be insane. The duty was discharged by these physicians, and the proper orders were issued from this department from their reports.

A copy of their reports is herewith submitted, together with their accounts against the State for the services rendered by them. There being no compensation for their services provided by law, nor appropriation for that purpose, I notified them accordingly, and now submit their accounts for your examination, with the recommendation that just compensation be allowed them.

I deem it proper on this occasion to remind the General Assembly that the salary of the Warden of the Penitentiary is fixed by existing law at \$2,000. Should you decide to continue the prison under State direction, I recommend an increase of the salary to such an amount as will afford a reasonable compensation, under existing circumstances, to

the Warden, and enable the State to secure the services of a faithful and efficient officer.

JNO. GILL SHORTER.

A message from the House of Representatives by Mr. Eason :

HOUSE OF REPRESENTATIVES,
November 17th, 1862. }

Mr. President :

The House of Representatives has originated and passed the following bills:

For the relief of Samuel B. Harman, tax collector of Macon county ;

To amend the charter of the Tennessee Central Railroad Company, and for other purposes ;

To amend section 1203 of the code, and for other purposes ;

To hold a special term of the chancery court in the county of Jefferson ;

To amend an act to authorize the issuance of Treasury note change bills by the State of Alabama ;

And has passed the Senate bill fixing the time within which proof of settlement and improvement on public lands may be made in certain cases.

Mr. Barnes, from the committee on Corporations, reported favorably to the House bill to incorporate the Bibb County Iron Company.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Barnes, from the committee on the Penitentiary, made the following report :

NOVEMBER 17, 1862.

Mr. President :

The committee on the Penitentiary, to whom was referred so much of the annual message of the Governor as relates to the State Penitentiary, have considered the same. The committee are of opinion that it would be more to the interest of the State to re-organize the Penitentiary and work it for the benefit of the State than to lease it. They have therefore instructed me to report the accompanying bill "To re-organize the Penitentiary," and recommend its passage.

The constitutional rule being suspended, the bill was read twice, when

Mr. Rice, of Montgomery, moved to amend the 6th section by striking out the words "three thousand," where they occur in said section;

Which was carried;

Also moved to amend by inserting in lieu of the words so stricken out, the words "five thousand";

Which was lost;

Also moved to amend by inserting the words "forty-five hundred";

Which was lost.

Mr. Barnes moved to amend by inserting the words "four thousand";

Which was adopted.

Mr. Jemison moved to amend by striking out sections 31, 32, 33 and 34.

On motion by Mr. Barnes the motion was laid on the table.

Mr. Jemison moved that the bill be referred to the committee on the Insane Hospital;

Which was lost.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Brewer, from committee on Enrolled Bills, reported as correctly enrolled the following bills:

A bill to authorize the sheriff and other officers of the county of Russell, to make publication in a newspaper published in the city of Columbus, Ga.;

To regulate the interest upon debts in payment of which Confederate Treasury notes may be tendered and refused;

To amend an act to provide for the public safety;

To amend section 1140 of the Code of Alabama as to Coffee, Covington and Walker counties;

To provide for the taking of testimony by registers in chancery;

For the relief of Adele Louise Du Bose, of Marengo county, as administratrix of Isaiah Du Bose, deceased, of said county;

For the relief of Archibald B. Bell, of Calhoun county.

Mr. Cato, from the committee on the Judiciary, reported favorably to the House bill in relation to homicide committed by convicts in the Penitentiary for life.

Mr. Barnes moved to amend as follows:

Insert in the 1st section, after the words "first degree,"

and before the words "on conviction," the words "while such sentence remains against him."

The amendment was adopted, the bill read a third time, under a suspension of the constitutional rule, and passed.

Mr. Cato, from the Committee on Public Lands, reported that the Committee on Public Lands, to whom were referred the resolution instructing the committee to enquire into the expediency of suspending the further entry of public lands during the present war, had considered the same, and instructed him to report a bill to withdraw from sale the public lands of the State.

The bill was read a first time ;

Pending the further consideration of which the following message from the Governor was laid before the Senate by the President :

EXECUTIVE DEPARTMENT, }
Montgomery, Nov. 17, 1862. }

Gentlemen of the Senate

and House of Representatives :

Information has reached this Department of the existence of small pox in several counties in this State. The spread of this contagious and loathsome disease should be prevented, if possible, by Legislative action. I call your attention to the accompanying correspondence which I have had with gentlemen of the medical profession, and to the valuable suggestions which they make. To secure a sufficient supply of vaccine virus, and to preserve it for public use when occasion may require it, it is indispensable that the services of one or more suitable persons be engaged by the State to attend to this business ; and as many of our people have not taken the precaution to guard against the disease of small pox by vaccination, and may not from carelessness or other causes do so in the future, and as preservation of the public health is a matter of prime importance, I submit that provision be made for the vaccination of the indigent, and that a tax be levied upon all other persons who may be returned not vaccinated after reasonable notice of a law imposing vaccination as a duty upon all citizens of the State.

JNO. GILL SHORTER.

On motion by Mr. Moren, the message and documents were referred to a select committee of three, to be appointed by the President.

Mr. President appointed Messrs. Moren, Groce and Harrison, the committee.

The Senate resumed the consideration of the bill to withdraw from sale the public lands of the State.

Mr. Rice, of Montgomery, moved that the further consideration of the bill be postponed until Wednesday next, and made the special order for 12 o'clock m., of that day;

Which was lost.

Also, moved that it be postponed until five minutes before 12 o'clock of that day, and made the special order for that day;

Which was lost—yeas 8, nays 11.

Yeas—Messrs. President, Barnes, Brewer, Coleman, Heflin, Hill, Mathews, Rice of Montgomery—8.

Nays—Messrs. Cato, Crump, Davis, Hardwicke, Harrison, Jemison, Jewett, Moren, Reavis, Stone, Walker—11.

Mr. Davis moved that the Senate adjourn until 3½ o'clock this afternoon.

Mr. Rice, of Montgomery, moved to adjourn until fifteen minutes before 10 o'clock to-morrow morning.

The question was taken first upon the motion of Mr. Rice :
Which was lost.

The question then recurred upon the motion of Mr. Davis ;
Which was carried.

Senate adjourned until this afternoon, 3½ o'clock.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

And resumed the consideration of the bill to withdraw from sale the public lands of the State.

Mr. Reavis moved to postpone the further consideration of the bill until 11 o'clock to-morrow, and made the special order for that hour.

Mr. Rice, of Montgomery, moved to postpone until ten minutes to 12 o'clock, on Wednesday.

The question first recurred upon the motion of Mr. Rice ;
Which was carried—yeas 21, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Hardwicke, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Mathews, Morgan, Reavis, Rice, of Montgomery, Stone, Walker—21.

Nays—0.

Mr. Clarke, from the Judiciary Committee, reported favorably to the House bill to authorize the court of county

commissioners of Sumter county to pay certain claims against said county.

The report was concurred in.

Also, favorably to the Senate bill to amend an act to incorporate the South Alabama Manufacturing Company, approved Feb. 24, 1861.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Morgan, from the Committee on Corporations, reported favorably to the House bill to amend the charter of the Shelby County Iron Manufacturing Company.

On motion by Mr. Jemison, the bill was amended by adding to the end of the last section the following proviso:

Provided, The same shall not exceed the sum of two million of dollars.

Mr. Ligon moved to amend as follows:

Provided, That any future legislation may modify or change or repeal any of the provisions of this act.

On motion by Mr. Walker, the amendment was laid on the table;

When the bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Davis, from the Judiciary Committee, reported favorably to the bill for the relief of Margaret Lurch, of Montgomery county.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Rice, of Montgomery, from same committee, reported a substitute for the House bill to amend an act entitled "an act the more effectually to secure subordination among slaves, by requiring the owner or overseer to reside with them, approved Feb. 5, 1856.

The substitute was adopted, and the bill read a third time, under a suspension of the constitutional rule, and passed.

The title was amended so as to read: A bill to enable Congress to widen the operation of the conscription law, and to narrow exemptions founded upon the police laws of this State.

Mr. Stone, from the Committee on Public Lands, reported favorably to the bill to encourage the manufacture of saltpetre in certain counties therein named, with the following amendment, to come in at the end of the bill:

"Provided, That the rights and privileges conferred by this act upon the said Wm. B. Martin, and his associates,

shall continue only during the prosecution of the present war."

Mr. Hill moved to further amend as follows;

"Provided, said privileges be not considered exclusive to said Wm. B. Martin and his associates."

Mr. Walker moved to lay Mr. Hill's amendment on the table.

Mr. Jemison moved to lay the bill and amendments on the table, which motion having precedence, was put and carried.

Mr. Hill, from the Committee on Corporations, reported favorably to the House bill to amend the charter of the Planters' Insurance Company.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Reavis, from the Judiciary Committee, reported favorably to the bill to repeal in part an act entitled "an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved Feb. 24, 1860, so far as it relates to life insurance companies incorporated by any of the Confederate States which do not take fire, river, or marine risks, with the following amendment:

Provided, however, That the tax required by said act to be paid by life insurance companies, or their agents, shall continue to be paid as provided by said act."

The amendment was adopted, the bill read a third time, under a suspension of the constitutional rule, and passed.

Mr. Hill, from the Select Committee to whom was referred a resolution in regard to providing supplies for indigent families of soldiers in the several counties of this State, reported the following bill:

A bill more effectually to provide for the support of the indigent families of soldiers in the Confederate service from the State of Alabama.

The constitutional rule was suspended, and the bill read a second time and referred to the Committee on Finance and Taxation.

By leave, Mr. Reavis introduced a bill further to provide for the defense of the State of Alabama against invasion and insurrection.

The constitutional rule was suspended, the bill read twice and referred to the Committee on the Military.

On motion, leave of absence was granted Messrs. Moren and Coman.

Mr. Hill offered the following resolution:

Resolved, The House concurring, that the two Houses of

the General Assembly, now in session, adjourn *sine die* Friday, 28th inst., at 12 o'clock, m.

Pending the consideration of which, on motion by Mr. Rice, of Montgomery,

The Senate adjourned until to-morrow morning, quarter to 10 o'clock.

NOVEMBER 18, 1862.

Senate met pursuant to adjournment.

Prayer by Rev. Dr. Manly.

Mr. President laid before the Senate the annual report of the Auditor;

Which was referred to the Committee on Military Affairs:

The following message was received from the Governor by his private Secretary, Mr. Taylor:

EXECUTIVE DEPARTMENT, }
MONTGOMERY, ALABAMA, November 17th, 1862. }

Gentlemen of the Senate and House of Representatives :

I have the honor herewith to communicate to the General Assembly a copy of a report made to this Department by Mr. A. G. McGehee, commissioner and supervisor of the salt works of the State. This report not only contains a statement of the operations and results thus far had under the direction of the commissioner, but suggestions which are deemed important for your consideration in further legislating upon the important subject of salt supply.

JNO. GILL SHORTER.

The report was referred to the Select Committee on Salt Supply ;

Also, that the Governor had approved the following bills, which originated in the Senate :

For the relief of Adele Louise Dubose, of Marengo county, administratrix of the estate of Isaiah Dubose, deceased, late of said county ;

For the relief of Archibald B. Bell, of Calhoun county ;

To regulate the payment of interest on debts in payment of which Confederate Treasury notes may be tendered and refused ;

To amend an act to provide for the public safety ;

To amend section 1140 of the code of Alabama, as to Coffee, Covington and Walker counties ;

To provide for the taking of testimony by registers in chancery ;

To authorize the sheriff and other officers of the county of Russell, to make publication in a newspaper published in the city of Columbus, Ga.

By leave, the following bills were introduced :

Mr. Stone, a bill to authorize the judge of probate of Mobile county to remove his official records to a place of safety, and for other purposes ;

Mr. Morgan, a bill to prevent the destruction by fire of property in the cities, towns and villages of the State of Alabama :

Which were severally read twice, under suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Barnes, a bill to increase the price of certain public lands belonging to the State of Alabama ;

Which was read twice and referred to the Committee on Public Lands. "

Mr. Ligon, a bill to detach Macon county from the middle, and attach it to the southern chancery division, and detach Sumter county from the southern and attach it to the middle chancery division ;

Which was read three times, under a suspension of the constitutional rule, and passed.

Mr. Harrison, joint resolutions requesting the Governor to give information in relation to debts due the State Bank and Branches ;

Which were read three times, under a suspension of the constitutional rule, and adopted.

Mr. Ligon, a bill to amend section 499 of the code as to the county of Macon ;

Which was read twice, under a suspension of the constitutional rule.

Mr. Cato moved to amend by inserting "Barbour" after "Macon";

Which was adopted.

Mr. Morgan moved to amend by inserting "Shelby" after "Barbour," and change the word "county" to counties";

Which was adopted, and the constitutional rule was suspended and the bill read a third time and passed.

The title was amended so as to read "so far as the counties of Macon, Barbour and Shelby are concerned."

The Senate proceeded to the consideration of the resolu-

tion proposing that the two houses of the General Assembly adjourn *sine die* on Friday, 28th inst., at 12 o'clock, m.

Mr. Groce moved to amend by striking out Friday 28th and inserting "Monday 24th";

Which was lost;

And the resolution was adopted.

Mr. Morgan moved to reconsider the vote adopting the resolution.

Mr. Clarke moved to lay the motion on the table;

Which was carried—yeas 11, nays 10.

Yeas—Messrs. Barnes, Clarke, Crump, Groce, Heffin, Hill, Jewett, Ligon, Lewis, Reavis, Stone—11.

Nays—Messrs. President, Brewer, Coleman, Davis, Hardwicke, Harrison, Mathews, Morgan, Rice of Montgomery, Walker—10.

A message from the House of Representatives by Mr. Eason:

HOUSE OF REPRESENTATIVES, }
November 18th, 1862. }

Mr. President:

The House of Representatives has passed the following Senate bills:

To remove the estate of Nancy M. Thompson, deceased, from Tuscaloosa to Greene county in this State;

For the relief of Archibald G. Campbell.

The House has also originated and passed the following bills:

To define the fees of the justices of the peace and constables of Montgomery county;

To amend an act to compensate the Receivers of public moneys at certain district land offices in Alabama, and in relation to canceled entries, approved Dec. 10, 1861;

To authorize the publication of Choctaw county to be made in the city of Mobile;

To change the boundary lines of the counties of Butler and Conecuh;

To repeal in part an act in relation to debts due alien enemies, approved Dec. 10, 1861;

To fix the time of holding the general elections for judges of the circuit court and judges of probate and other inferior officers.

Mr. Brewer, from the committee on Enrolled Bills, reported the following as correctly enrolled:

Fixing the time within which proof of settlement and improvement on public lands may be in certain cases ;

For the relief of Archibald G. Campbell ;

To remove the estate of Nancy M. Thompson, deceased, from Tuscaloosa to Greene county in this State ;

Mr. Jemison, from the committee of conference of the two Houses, to whom was referred the bill to aid the Confederate Government in providing shoes for the Alabama soldiers in the Confederate army, and to impress the material suitable for such shoes, reported that the committee recommended that the House recede from its amendment and agree to the following amendments :

1st. Strike out the words "and reasonable," in next to the last line of the third section, and add at the end of the third section the word "appropriated."

2d. Add section 4. Be it further enacted, That in all impressments under the provisions of this act, due regard shall be had to the wants and necessities of the locality in which such impressment is made, and the extent to and the prices at which the party impressed has contributed to supply these wants and relieve these necessities, as well as to the amount of shoes and leather furnished the State or Confederate Government, and the prices at which the same has been furnished.

R. JEMISON, Jr.,

Chairman Senate Committee.

LEVI W. LAWLER,

Chairman House Committee.

The report of the committee was concurred in.

A message was received from the House, by Mr. Eason, announcing that the House concurred in the amendments reported by the committee of conference of the two Houses upon the above bill.

The House bill to amend section 1203 of the code and for other purposes ;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on Roads, Bridges and Ferries.

The House bill to authorize the issuance of Treasury note change bills of the State of Alabama ;

Was read twice under a suspension of the constitutional rule.

Mr. Rice, of Montgomery, moved to amend by additional section as section 5 ;

The amendment was adopted, the bill read a third time,

under a suspension of the constitutional rule, and passed.

The House bills to authorize the publications of Choctaw county to be made in Mobile;

To hold a special term of the chancery court in the county of Jefferson;

Were severally read three times, under a suspension of the constitutional rule, and passed.

The House bills—

For the relief of Samuel B. Harmon, tax collector of Macon county;

To fix the time of holding the general elections for judges of the circuit court, and judges of probate, and other inferior officers;

To repeal in part an act in relation to debts due alien enemies, approved Dec. 10, 1861;

To define the fees of justices of the peace and constables in the city of Montgomery;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bill to amend the charter of the Tennessee & Alabama Central Railroad Company, and for other purposes;

Was read twice, under a suspension of the constitutional rule.

Mr. Morgan moved to amend by striking out the second section;

Which was lost.

The bill was read a third time forthwith and passed.

The House bill to change the boundary line of the counties of Butler and Conecuh;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on County Boundaries.

The House bill to amend an act to compensate the receivers of public moneys at certain district land offices in Alabama, and in relation to canceled entries, approved Dec. 10, 1861;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on Public Lands.

Mr. Heflin, from the committee on Propositions and Grievances, reported favorably to the bill for the relief of J. P. Cantrell, of Marion county, and for other purposes;

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Clarke, from the committee on Military Affairs, re-

ported favorably to the House bill to authorize the enrollment of the creoles of Mobile;

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Jemison, from the committee on Military Affairs, reported favorably to the bill supplementary to an act to provide for the public safety, with the following amendments:

Strike out the 1st, 6th, 7th and 9th sections.

Mr. Reavis moved to lay upon the table the amendment proposing to strike out the 1st section;

Which was lost—yeas 6, nays 17.

Yeas—Messrs. Cato, Harrison, Jewett, Ligon and Reavis—5.

Nays—Messrs. President, Barnes, Brewer, Clarke, Coleman, Crump, Davis, Groce, Hardwicke, Hill, Jemison, Lewis, Mathews, Morgan, Rice of Montgomery, Stone and Walker—17.

Mr. Rice moved to lay the bill and amendments on the table;

Which was lost—yeas 5, nays 18.

Yeas—Messrs. Brewer, Crump, Groce, Rice of Montgomery, Stone—5.

Nays—Messrs. President, Barnes, Cato, Clarke, Coleman, Davis, Hardwicke, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Mathews, Morgan, Reavis, Walker—18.

The amendments were adopted—yeas 16, nays 6.

Yeas—Messrs. President, Barnes, Coleman, Clarke, Crump, Davis, Groce, Hardwicke, Harrison, Heflin, Hill, Jemison, Lewis, Mathews, Morgan, Stone—16.

Nays—Messrs. Brewer, Cato, Jewett, Ligon, Reavis, Rice of Montgomery—6.

On motion by Mr. Jemison, the further consideration of the bill and report was postponed until to-morrow.

Mr. Jemison, from the select Salt Committee, reported favorably to the bill to authorize the Governor to seize salt for public use, with the following amendment:

After the word "sale" add the words "or held by parties when the same is not necessary for the individual or family use of the owner."

Mr. Barnes moved to amend as follows:

Provided, That no salt made by any salt company, by the rules of which company the stockholders are prohibited, upon forfeiture of their stock and salt, from selling for more than original cost and transportation, shall be liable to seizure under this act.

On motion by Mr. Clarke, the amendment was laid on the table.

On motion by Mr. Hill, the further consideration of the bill and report was postponed until to-morrow.

The following bills were, by leave, introduced:

By Mr. Harrison, a bill to extend the time for the executors of John H. Murphy to make final settlement;

Mr. Ligon, a bill for the relief of W. R. Mason, register in chancery for 13th district Middle chancery division;

Both of which were read two times, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

On motion by Mr. Coleman,

Senate adjourned till 9 $\frac{1}{4}$ o'clock to-morrow morning.

SENATE, November 19, 1862.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Mathews, senator from Tallapoosa.

On motion by Mr. Barnes,

Resolved, The House concurring, that so much of the resolution in relation to the election of a Warden of the Penitentiary this day at 12 o'clock m., be and the same is hereby rescinded.

A message was received from the House by Mr. Eason announcing that the House concurred in the above resolution.

By leave the following bills were introduced:

Mr. Rice, of Montgomery, a bill to repeal an act entitled an act to legalize certain entries of land, approved Dec. 9th, 1861;

Which was read twice, under a suspension of the constitutional rule, and referred to the committee on the Judiciary.

Mr. Barnes, a bill to compensate Dr. Merriwether G. Moore for services as Warden of the Penitentiary for the present year;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on the Penitentiary.

Mr. Hill, a bill to protect the citizens of the State against salt dealers;

Which was read twice and referred to the committee on Salt Supply.

The Senate proceeded to the consideration of the bill and

report of the committee which was postponed on yesterday, to-wit:

To authorize the Governor to seize salt for the public use.

The bill and report was recommitted to the same select committee on Salt Supply.

Mr. Barnes, from the Judiciary Committee, reported favorably on the House bill to fix the time for holding the elections for judges of the circuit courts, judges of the probate, and other inferior courts, with the following amendment:

Strike out the words "throughout the circuit" where they occur.

The amendment was adopted and the constitutional rule was suspended and the bill read a third time and passed.

Mr. Clarke, from the Judiciary Committee, reported adversely to the bill to compensate Cornelius Robinson, jr., for the loss of a negro by disease contracted while at work on State fortifications;

The report was concurred in and the bill lost.

Also, favorably to the bill further to provide for the defense of Alabama against invasion and insurrection.

On motion of Mr. Clarke the bill was recommitted to a select committee composed of Messrs. Barnes, Harrison and Cato.

A message was received from the Governor, by his Private Secretary Mr. Taylor:

Mr. President:

The Governor has approved and signed the following bills, which originated in the Senate:

To remove the estate of Nancy M. Thompson, deceased, from Tuscaloosa to Greene county in this State;

To fix the time within which proof of settlement and improvement can be made on public lands in certain cases;

For the relief of Archibald G. Campbell.

Mr. Rice, of Montgomery, from the Judiciary Committee reported favorably to the House bill to suspend the operation of the statutes of non claims in certain cases, with the following amendment:

Strike out in next to the last line of 5th section the word "of" and insert in lieu thereof the word "or" after the word "devisees."

The amendment was adopted and the bill read a third

time, under a suspension of the constitutional rule and passed.

Mr. Walker, from same committee, reported favorably to the bill to extend the time for the executors of John H. Murphy to make final settlement;

The constitutional rule was suspended and the bill read a third time and passed.

A message from the House of Representatives by Mr. Eason :

HOUSE OF REPRESENTATIVES,
November 19th, 1862. }

Mr. President :

The House has adopted the following resolution :

Resolved, That a select committee of three be appointed to act with a similar committee on the part of the Senate, and that said joint committee be instructed to report forthwith a bill making a suitable appropriation to carry into effect the provisions of the joint resolutions of the General Assembly, passed at the present session, for the removal and maintenance of the helpless women and children of the city of Mobile, in the event such removal and maintenance should become necessary for the proper defense of the said city of Mobile ;

Has also originated and passed bills—

—To authorize certain officers of Jefferson county to make publication in newspapers of Selma ;

To amend an act to allow compensation to executors, administrators and guardians in certain cases, approved Dec. 7, 1861.

Mr. Reavis, from the committee on Finance and Taxation, reported favorably to the bill to provide for the defense and deficit in the Treasury by the issuance of Treasury notes, with the following amendment :

Strike out section 1 and insert as follows, after the enacting clause: That in order to meet any appropriation that has been or shall be made by the General Assembly, the Governor is hereby authorized to issue treasury notes of this State of such denominations as he shall think proper, redeemable at the option of the State, either in the Treasury notes of the Confederate States, or in bonds of this State bearing 5 per cent. interest, having ten years to run and redeemable at the pleasure of the State ;

The amendment was adopted and the bill read a third

time, under a suspension of the constitutional rule, and passed—yeas 23, nays none.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Hardwicke, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—23.

The caption was amended so as to read :

A bill to provide for meeting appropriations out of the State Treasury.

Mr. Jemison, from the committee on Finance and Taxation, reported favorably to the House bill to authorize the Governor to borrow money on the credit of the State to replenish the treasury until further provision is made by law, with the following amendment :

Strike out the words “until further provision is made by law,” in the 7th line, and the words “from the passage of this act,” at the end of the bill.

The amendments were concurred in, and the bill read a third time, under a suspension of the constitutional rule, and passed—yeas 23, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Hardwicke, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—23.

Mr. Ligon, from the Judiciary Committee, reported favorably to the bill for the relief of Wm. R. Mason, register in chancery for 13th district middle chancery division.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Jemison, from the Committee on Finance and Taxation, to whom was referred a bill more effectually to provide for the support of the indigent families of soldiers in the Confederate service from the State of Alabama, reported a substitute therefor ;

Which was adopted.

Mr. Barnes moved to amend by inserting after the word “delivered,” in the 10th line of section 1st, the words and figures following : “within the year 1863.”

The amendment was adopted.

On motion by Mr. Clarke, the further consideration of the bill was postponed until to-morrow morning, 11 o'clock.

Mr. Clarke introduced joint resolutions to present to Mrs. A. F. Hopkins, in charge of the Alabama Hospitals at Richmond, a service of plate by the State of Alabama ;

Which were read three times, under a suspension of the constitutional rule, and adopted—yeas 23, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Hardwicke, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—23.

Mr. Reavis introduced joint resolutions in relation to the liability of militia officers of this State to enrollment under the conscription act of the Confederate States;

Which were read three times, under a suspension of the constitutional rule, and adopted.

Mr. Ligon, from the Judiciary Committee, reported favorably to the House bill for the relief of Samnel B. Harman, tax collector of Macon county;

The bill was read a third time, under a suspension of the constitutional rule, and passed—yeas 22, nays 1.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Mathews, Morgan, Reavis, Rice, of Montgomery, Stone, Walker—22.

Nays—Mr. Hardwicke—1.

The hour of 12 o'clock having arrived, the Senate was invited into the hall of the House for the purpose of proceeding to the elections set for that hour.

The Senate repaired to the House, when the two Houses in convention proceeded to the election of a solicitor for the 5th judicial circuit.

Mr. W. S. McDaniel, of Cherokee, Mr. David L. Nicholson, of Cherokee, Mr. John B. Walden, of DeKalb, Mr. Benj. F. Pope, of Cherokee, and Mr. R. H. Wilson, of Blount, were placed in nomination.

Those who voted for Mr. Walden are:

Messrs. Brewer, Coleman, Groce, Harrison, Heflin, Hill, Ligon and Morgan, of the Senate.

Messrs. Speaker, Arrington, Ashley, Bass, Benners, Berry, Bozeman, Burnett, Butler, Calhoun, Carter, Cobb, Coleman, Crumpler, Denman, Foster, Herron, Hearin, Horn, Jemison, Jones, Langdon, Latham, Lawler, Liddell, B. B. Little, Logan, Mabry, Malone, Mason, Maxwell, Miree, McCall, McDonald, Neal, Orr, Ott, Parish, Penn, Pickett, Reynolds, Riley, Rives, Robinson, Slade, Smith, Starke, Tally, J. A. M. Thompson, Ussery, Walden, Walthall, Wilkerson, Williams, Wolff of the House—63.

Those who voted for Mr. McDaniel are:

Messrs. Cato and Rice, of the Senate.

Messrs. Brindley, Davis, Foreman, W. W. Little, Middleton, Miller and Snodgrass, of the House—9.

Those who voted for Mr. Nicholson are :

Messrs. Davis, Hardwicke and Stone, of the Senate.

Messrs. Cabaniss, Caruth, Lynch, W. B. Martin, McClellan and Rainer, of the House—9.

Those who voted for Mr. Pope are :

Messrs. President, Barnes, Clarke, Jemison, Jewett, Lewis, Mathews and Reavis, of the Senate.

Messrs. Brasher, Gullett, Lewis, Lee, Parker, Pratt and West, of the House—15.

Those who voted for Mr. Wilson are :

Messrs. Crump and Walker, of the Senate.

Messrs. Aldridge, Ellis, Griffin, A. Martin, of the House—6.

Mr. Walden having received a majority of all the votes cast, was by Mr. Speaker declared duly and constitutionally elected solicitor for the 5th judicial circuit for the term prescribed by the constitution.

The convention then proceeded to the election of a trustee of the State University for the 3d judicial circuit.

Mr. A. Martin, of Jefferson, being alone in nomination, and having received 92 votes, it being all the votes cast, and a majority, was by Mr. Speaker declared duly and constitutionally elected Trustee of the State University for the 3d judicial circuit, for the term prescribed by law.

The convention next proceeded to the election of a Trustee of the State University for the 8th judicial circuit.

Mr. A. W. Starke, of Pike, alone being in nomination, and having received 92 votes, it being all the votes cast, and a majority, Mr. Speaker declared him duly and constitutionally elected a Trustee of the State University for the 8th judicial circuit, for the term prescribed by law.

The convention having concluded the business for which it had assembled, the Senate returned to its chamber and proceeded to the consideration of the special order for the hour of 12 o'clock this day, it being the bill—

To withdraw from sale the public lands of the State.

Mr. Rice, of Montgomery, moved to amend by substitute, with the following title :

To prohibit the sale, entry, or appropriation of the public lands for a specified time, except for a specified purpose.

The bill and substitute were recommitted to the Committee on Public Lands.

The Senate adjourned until to-morrow morning, quarter to 10 o'clock.

NOVEMBER 20, 1862.

The Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Petrie.

Mr. President laid before the Senate the reports of Hon. Arthur F. Hopkins, agent, and Mrs. A. F. Hopkins, Superintendent, and Dr. J. C. Clarke, Chief Surgeon of the Alabama hospitals in Virginia, together with the report of the military aid society of Mobile;

All of which were referred to a select committee of five.

Mr. President appointed Messrs. Stone, Ligon, Mathews, Crump and Groce, said committee.

A message was received from the Governor by his Private Secretary, Mr. Taylor, announcing his approval of the bill to aid the Confederate Government in providing shoes for the Alabama soldiers in the Confederate army, and to impress the material suitable for said shoes.

By leave, Mr. Walker introduced the following bills:

For the relief of James Meharg, late tax collector of Calhoun county;

To amend the charters of the Ala. & Tenn. Rivers R. R. Co., the Ala. & Miss. Rivers R. R. Co., the Selma & Gulf R. R. Co., and the Western R. R. Co.;

Which were read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Davis, from the Judiciary Committee, reported favorably to the bill for the relief of Micajah Tompkins and Elean Melvin, of Covington county, with an amendment by additional section, as section 2;

Which was adopted, the constitutional rule suspended, the bill read a third time, and passed.

The caption was amended by adding the following: "and Jesse B. and Mary A. Todd."

Mr. Jewett, from the same committee, reported favorably to the bill to authorize the judge of probate of Mobile county to remove his official record to a place of safety, and for other purposes.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Stone, from same committee, reported favorably to the House bill to repeal in part an act "in relation to debts due alien enemies, approved Dec. 10, 1861.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Groce, from the Committee on the Penitentiary, to whom was referred the Governor's message in relation to compensating Drs. Harris, Mason and Moore, for their services in examining insane prisoners in the Penitentiary, reported the following bill:

For the relief of Drs. Jas. C. Harris, Thomas M. Mason, and M. G. Moore, for services rendered the State.

The constitutional rule was suspended, and the bill read three times forthwith and passed.

Mr. Mathews, from the Committee on Roads, Bridges and Ferries, reported favorably to the House bill to amend section 1203 of the code, and for other purposes.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Rice, from the Judiciary Committee, reported a substitute for the bill to amend the law relating to the printing of the reports of the decisions of the Supreme Court.

The substitute was adopted, the constitutional rule suspended, and the bill read a third time and passed.

Mr. Hill, from the Committee on County Boundaries, reported favorably to the bill to change the boundary line of the counties of Butler and Conecuh.

The constitutional rule was suspended; and the bill read a third time and passed—yeas 20, nays 2.

Yeas—Messrs. Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Hardwicke, Harrison, Heflin, Hill, Jewett, Ligon, Lewis, Mathews, Morgan, Rice of Montgomery, Stone and Walker—20.

Nays—Messrs. President and Jemison—2.

A message from the House of Representatives by Mr. Eason:

HOUSE OF REPRESENTATIVES,
November 20, 1862. }

Mr. President:

The House of Representatives has passed the following Senate bills:

For the relief of J. P. Cantrell, of Marion county, and for other purposes;

To amend section 499 of the code, so far as the counties of Macon, Barbour and Shelby are concerned;

To legalize private sales made by the administrator of Alvin Burrows, deceased;

To authorize George Goldthwaite to rent or lease the real estate of his ward by private contract;

Joint resolutions requesting the Governor to give information in relation to debts due the State Bank and Branches;

And refused to concur in the Senate amendments to the bills:

To amend an act "the more effectually to secure subordination among slaves by requiring the owner or overseer to reside with them;

To authorize the Governor to borrow money on the credit of the State to replenish the Treasury, until further provision is made by law.

The House has originated and passed the following bills:

To amend an act supplemental to two several acts, in relation to salt, approved Dec. 7, 1861, and the several acts to which it is supplemental, and for other purposes;

For the relief of George Newman, guardian of James N. Trawick.

ALEX. B. CLITHERALL, Clerk.

Mr. Rice, of Montgomery, from the Judiciary Committee, reported favorably to the bill to repeal an act to legalize certain entries of land, approved Dec. 9, 1861.

The constitutional rule was suspended, the bill read a third time and passed—yeas 20, nays 2.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Hardwicke, Harrison, Heflin, Hill, Ligon, Lewis, Mathews, Morgau, Rice of Montgomery, Stone, Walker—20.

Nays—Messrs. Jemison and Jewett—2.

Mr. President laid before the Senate the report of the quartermaster general of this State;

Which was referred to the Committee on Military Affairs.

The hour of 11 o'clock having arrived, the Senate proceeded to the consideration of the special order for that hour;

It being the bill more effectually to provide for the support of the indigent families of soldiers in the Confederate service from the State of Alabama.

The question pending being on ordering the bill to a third reading;

Mr. Hill moved to amend by inserting after the word "kind," in section 1st, 12th line, the words "and at such prices."

The amendment was adopted, the constitutional rule suspended, and the bill read a third time and passed.

The Senate proceeded to the consideration of the House messages.

The Senate concurred in the resolution of the House proposing that a joint committee of three be appointed to carry into effect the joint resolutions of the General Assembly providing for the removal and maintenance of the helpless women and children of the city of Mobile, in the event such removal and maintenance should become necessary for the proper defense of said city.

The President appointed Messrs. Jewett, Cato and Groce, the committee on the part of the Senate.

The Senate insisted upon its amendments to the House bills—

To authorize the Governor to borrow money on the credit of the State, to replenish the Treasury, until further provision is made by law ;

And the more effectually to secure subordination among slaves by requiring the owner or overseer to reside with them, approved Feb. 5, 1856.

The House bill for the relief of George Newman, guardian of James N. Trawick ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

The House bill to amend an act supplemental to two several acts in relation to salt, approved Dec. 7, 1861, and the several acts to which it is supplemental, and for other purposes ;

Was read twice, under a suspension of the constitutional rule, and referred to the Select Committee on Salt Supply.

The House bill to amend an act to allow compensation to executors, administrators and guardians, in certain cases, approved Dec. 7, 1861 ;

Was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bill to authorize certain officers of Jefferson county to make publication in the newspapers of Selma ;

Was read three times, under a suspension of the constitutional rule, and passed.

By leave, Mr. Jewett offered the following preamble and resolutions, which were adopted :

Whereas, certain portions of this State have heretofore been invaded by the enemy, and for a time been embraced within his lines, and there is danger from like invasions in the future, therefore be it

Resolved, That the Committee on Public Lands be in-

structed to enquire if the Huntsville land district may not be consolidated with some other land district, or if not, to report what legislation is necessary to protect and preserve the public papers, books and records of the said district land office;

And said committee is further instructed to enquire whether it is practicable or advisable to consolidate any of the other land offices of the State.

Mr. Barnes, from Select Committee, reported adversely to the bill further to provide for the defense of Alabama against invasion and insurrection.

The bill and report were laid on the table.

Mr. Harrison offered the following resolution, which was adopted:

Resolved, That the Committee on the Military be instructed to inquire into the expediency of reporting a bill for the organization of a regiment or battalion of infantry, to include one company of cavalry in each county in this State.

Mr. Groce, from the committee on the Penitentiary, to whom was referred the bill to compensate Dr. Merriwether G. Moore for services as Warden of the Penitentiary, for the present year, reported favorably thereon, with the following amendment:

Strike out "four thousand dollars" and insert "three hundred and thirty-three 33-100 dollars per month for such services."

Mr. Rice, of Montgomery moved to lay the report on the table;

Which was lost—yeas 3, nays 16.

Yeas—Messrs. Barnes, Hill, Rice of Montgomery—3.

Nays—Messrs. President, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Jewett, Ligon, Lewis, Mathews, Morgan, Stone, Walker—16.

Mr. Rice, of Montgomery, moved to adjourn until quarter to 10 o'clock to-morrow;

Which was lost.

After 15 minutes had elapsed, pending the discussion on the bill,

Mr. Rice, of Montgomery, moved to adjourn until half past three o'clock this afternoon;

Which was lost.

Mr. Rice, of Montgomery, moved to postpone the further consideration of the bill and report until to-morrow, at one o'clock;

Which was lost—yeas 1, nays 19.

Yeas—Mr. Rice, of Montgomery—1.

Nays—Messrs. President, Barnes, Cato, Clarke, Coleman, Crump, Davis, Groce, Hardwicke, Harrison, Heflin, Hill, Jewett, Ligon, Lewis, Mathews, Morgan, Stone and Walker—19.

The amendment reported by the committee was adopted.

Mr. Rice, of Montgomery, moved to amend by substitute,

The question being on the adoption of the substitute, it was lost—yeas 4, nays 17.

Yeas—Messrs. Barnes, Brewer, Hill, and Rice, of Montgomery—4.

Nays—Messrs. President, Cato, Clarke, Coleman, Crump, Davis, Groce, Hardwick, Harrison, Heflin, Jewett, Ligon, Lewis, Mathews, Morgan, Stone and Walker—17.

Mr. Harrison moved to reconsider the vote adopting the amendment reported by the committee ;

Which motion was lost.

Mr. Rice, of Montgomery, moved to adjourn until half-past 9 o'clock to-morrow morning ;

Which was lost—yeas 3, nays 16.

Yeas—Messrs. Barnes, Crump, Rice, of Montgomery—3.

Nays—Messrs. President, Brewer, Cato, Clarke, Coleman, Davis, Groce, Harrison, Heflin, Hill, Jewett, Ligon, Lewis, Mathews, Morgan, Walker—16.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

On motion by Mr. Coleman,

The Senate adjourned until to-morrow morning, quarter to 10 o'clock.

Yeas 17, nays 1.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Hardwicke, Harrison, Heflin, Hill, Jewett, Ligon, Mathews, Morgan, Walker—17.

Nays—Mr. Rice, of Montgomery. .

NOVEMBER 21, 1862.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hill, Senator from Lawrence, Winston and Walker.

Upon motion, the call of the districts was dispensed with.

By leave, the following bills were introduced :

By Mr. Jemison, a bill to authorize impressments, and to prevent extortion.

The bill was read twice, under a suspension of the constitutional rule.

Upon motion by Mr. Jewett, the bill was laid upon the table, and 133 copies ordered printed.

Mr. Reavis, a bill for the relief of indigent families of soldiers in Sumter county ;

Mr. Rice, a bill to authorize the corporate authorities of the city of Montgomery to control and improve the ground around the capitol ;

Both of which were severally read three times, under a suspension of the constitutional rule, and passed.

Mr. Cato, a bill to prevent the making of cotton, &c.;

Which was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Walker offered the following resolution :

Resolved, The House concurring, that the two houses meet in the hall of the House, on Saturday, the 22d, for the purpose of electing a solicitor for the 6th judicial circuit.

The resolution was adopted.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled ;

A bill to legalize private sales made by the administrator of Alvin Burrows ;

To amend section 499 of the code, so far as the counties of Macon, Barbour and Shelby, are concerned ;

For the relief of J. P. Cantrell, of Marion county, and for other purposes ;

To authorize George Goldthwaite to rent or lease the real estate of his ward by private contract ;

Joint resolutions requesting the Governor to give information in relation to debts due the State Bank and Branches.

Upon motion by Mr. Harrison, Mr. Morgan was placed upon the committee to examine the offices of the Comptroller and State Treasurer, in place of Mr. Coman, who was unable to serve upon the committee in consequence of his absence.

Mr. Reavis, from the Committee on the Insane Hospital, to whom was referred the annual report of the officers of the Alabama hospital for the insane, reported joint resolutions in relation to printing the annual reports of the officers of the Alabama hospital for the insane.

The resolutions were read three times, under a suspension of the constitutional rule, and adopted.

Mr. Cato, from the Committee on Public Lands, reported adversely to the bill to increase the price of certain public lands belonging to the State of Alabama.

On motion, the bill and report were laid upon the table.

A message from the House of Representatives by Mr. Eason :

HOUSE OF REPRESENTATIVES, }
November 21, 1862. }

Mr. President :

The House has originated and passed the following bills :
More effectually to suppress the circulation of shinplasters.
To require all persons to do business in their own names ;
To establish a bridge across the Choctawhatchie river, in Coffee county ;

In relation to the redemption of land ;

In relation to the distribution of the educational fund for the year 1862 ;

To provide for the security of the records and papers of this State ;

To give the probate judge of Coffee county jurisdiction over the estate of John J. Allsabrooks, late of Covington county ;

To prevent the distillation of grain in the State of Alabama ;

And has amended the amendment of the Senate to the House bill to amend an act to authorize the issuance of Treasury note change bills by the State of Alabama ;

And refused to concur in said amendment as amended.

Mr. Cato, from the Committee on Public Lands, to whom was referred a bill to withdraw the public lands of the State from market, and for other purposes, and also a substitute therefor, reported adversely to the substitute and favorably to the bill, with the following amendments :

1st amendment—Add at the end of the 2d section, “and that no swamp or overflowed land shall be sold unless the price bid therefor shall be at least five dollars per acre ; and all lands lying six miles beyond the line of any railroad, shall not be held for a less sum than one dollar and twenty-five cents per acre.”

2d amendment—In place of section 5, substitute as follows: “That the office of draughtsman, in the State land office, be and the same is hereby abolished, and the commission of said office is hereby vacated.”

3d amendment—Strike out section 6.

Mr. Barnes moved to amend the 1st amendment, reported by the committee, as follows :

Strike out all after the words in said amendment, “five dollars per acre,” and insert the following : “All lands with-

in six miles of any railroad shall not be sold for less than \$5 per acre, and that all lands over six miles and within fifteen miles on any railroad, or proposed railroad, shall not be sold for less than \$3 per acre; and all other lands shall be sold for not less than one dollar and fifty cents per acre."

Mr. Jemison moved to lay the amendment of the committee and the amendment of Mr. Barnes, upon the table—yeas 11, nays 12.

Yeas—Messrs. President, Clarke, Coleman, Davis, Hardwicke, Harrison, Hill, Jemison, Jewett, Morgan, Walker 11.

Nays—Messrs. Barnes, Brewer, Cato, Crump, Groce, Heflin, Ligon, Lewis, Mathews, Reavis, Rice of Montgomery, Stone—12.

The amendment of Mr. Barnes was adopted—yeas 13, nays 9.

Yeas—Messrs. Barnes, Brewer, Cato, Crump, Davis, Groce, Heflin, Ligon, Lewis, Mathews, Reavis, Stone and Walker—13.

Nays—Messrs. President, Clarke, Coleman, Harrison, Hill, Jemison, Jewett, Morgan, Rice of Montgomery—9.

Mr. Rice offered the following as an amendment to the amendment reported by the committee :

"That if the Governor shall at any time hereafter be of opinion that the office of draughtsman, in the State land office, should be abolished, he shall file in the State land office his written opinion to that effect; and upon such filing of such opinion, the said office of draughtsman shall be abolished, and the commission of said draughtsman be vacated."

The amendment was lost, and the 2d amendment reported by the committee was adopted.

On motion by Mr. Walker, the Senate reconsidered the vote adopting the 2d amendment reported by the committee.

On motion by Mr. Walker, the amendment was laid on the table.

Mr. Barnes moved to indefinitely postpone the consideration of the bill, report and amendments ;

Which was lost—yeas 9, nays 12.

Yeas—Messrs. President, Barnes, Cato, Groce, Heflin, Hill, Lewis, Mathews, Rice of Montgomery—9.

Nays—Messrs. Clarke, Coleman, Crump, Davis, Hardwicke, Harrison, Jemison, Jewett, Ligon, Reavis, Stone and Walker—12.

On motion by Mr. Groce,

The Senate adjourned until to-morrow morning, quarter to 10 o'clock.

Yeas 12, nays 9.

Yeas—Messrs. Barnes, Cato, Coleman, Davis, Groce, Harrison, Heflin, Jemison, Ligon, Lewis, Mathews, Stone—12.

Nays—Messrs. President, Clarke, Crump, Hardwicke, Hill, Jewett, Reavis, Rice of Montgomery, Walker—9.

NOVEMBER 22, 1862.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Mathews, senator from Tallapoosa.

Message from the House by Mr. Eason :

HOUSE OF REPRESENTATIVES, }
November 22, 1862. }

Mr. President :

The House has appointed Messrs. Mabry, Cabaniss and Wolff a committee on the part of the House to examine the accounts of John Whiting, Commissioner and Trustee, and ask a like committee on the part of the Senate to act jointly with the House committee.

The House has resolved that with the concurrence of the Senate, the two Houses will on Tuesday next, at 12 m., elect Trustees for the State University of Alabama for the 1st, 4th, 6th, 10th and 11th circuits.

The House concurs in the resolution of the Senate proposing to elect a solicitor for the 6th judicial circuit on this day at 12 m.

The House has appointed Messrs. Mason, Langdon and Benners the committee on the part of the House, under the resolution of the two Houses in relation to the removal and maintenance of the women and children of Mobile.

The House insists on its disagreement to the amendment of the Senate to the bill more effectually to secure subordination among slaves, &c, and has appointed Messrs. B. B. Little, Walden and Burnett a committee of conference on the part of the House, and asks a like committee on the part of the Senate.

The House concurs in the amendments of the Senate to the bill to fix the time of holding the general elections for judges of the circuit courts, judges of probate, and other inferior courts.

The House recedes from its disagreement to the amendments of the Senate to the bill to authorize the Governor

to borrow money on the credit of the State, to replenish the treasury until further provision is made by law.

The House has originated and passed a bill to prevent the introduction and spread of small pox in the State of Alabama.

A. B. CLITHERALL, Clerk.

On motion by Mr. Jemison the vote adopting the joint resolutions in relation to printing the annual report of the officers of the Alabama Hospital for the insane ;

Was reconsidered, and the joint resolutions were laid on the table.

Mr President laid before the Senate the report of John Whiting, Commissioner and Trustee of the State Bank and Branches ;

Which was referred to the joint committee to examine the office of the said John Whiting, Commissioner & Trustee.

By leave the following bills were introduced :

Mr. Reavis, a bill the better to secure to married women their separate estates ;

Mr. Clarke, a bill to better protect Government powder mills, cartridge factories, arsenals, foundries, &c. ;

Which were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Cato, a bill to amend the charter of the Eufaula Home Insurance Company ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Corporations.

Mr. Reavis, joint resolutions in relation to the Confederate war debt ;

Which were read twice, under a suspension of the constitutional rule, and referred to the Committee on Confederate Relations.

Mr. Jemison, a bill to prevent the extortionate charges for freight ;

Which was read twice, under a suspension of the constitutional rule, and referred to a select committee as follows : Messrs. Jemison, Walker, Ligon, Clarke and Stone.

Mr. Jemison, from the committee on Finance and Taxation, asked to be discharged from the consideration of the bill to authorize impressments and prevent extortion, and

that the same be referred to the select committee of five just raised;

Which was granted and the bill so referred.

Mr. Rice, of Montgomery, made a similar request as to the bill to arrest extortion in articles of vital necessity;

Which was granted, and the bill referred to the same committee.

Mr. Coleman offered the following resolution which was adopted:

Resolved, That the Military Committee be, and they are hereby instructed to inquire into the expediency of adopting some measures whereby the avaracious extortioners and speculators, who are coining gold out of the misfortunes of a bleeding country, may be made subject to the conscription law irrespective of age, infirmity or position.

Mr. Davis moved to reconsider the vote by which the Senate on yesterday refused to indefinitely postpone the consideration of the bill to withdraw from sale the public lands of the State;

Which was carried—yeas 15, nays 5.

Yeas—Messrs. President, Barnes, Cato, Coleman, Crump, Davis, Groce, Hardwicke, Heflin, Ligon, Lewis, Mathews, Morgan, Rice of Montgomery, Stone—15.

Nays—Messrs. Harrison, Jemison, Jewett, Reavis, and Walker—5.

The question then recurring on the indefinite postponement of the bill.

Mr. Rice, of Montgomery, moved to postpone the further consideration of the bill until Thursday next;

Which was carried—yeas 14, nays 8.

Yeas—Messrs. President Barnes, Cato, Coleman, Davis, Groce, Hardwicke, Heflin, Hill, Ligon, Lewis, Mathews, Morgan, Rice of Montgomery—14.

Nays—Messrs. Clarke, Crump, Harrison, Jemison, Jewett, Reavis, Stone, Walker—8.

On motion by Mr. Clarke the vote by which the Senate adopted the amendment of the committee to the 5th section of the above bill, was reconsidered.

On motion by Mr. Cato the bill to increase the price of certain public lands belonging to the State of Alabama, was taken from the table.

The question pending being on ordering the bill to a third reading;

The constitutional rule was suspended, and the bill read a third time and passed—yeas 12, nays 10.

Yeas—Messrs. Barnes, Cato, Davis, Groce, Ligon, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone and Walker—12.

Nays—Messrs. President, Clarke, Coleman, Crump, Hardwicke, Harrison, Heflin, Hill, Jemison Jewett—10.

Mr. Rice, of Montgomery, moved to reconsider the vote by which the bill passed, and moved to lay that motion on the table ;

Which was carried.

Also moved to reconsider the vote laying the motion to reconsider on the table ;

Which was carried.

Whereupon the motion to lay upon the table was withdrawn, and the motion to reconsider put and carried—yeas 9, nays 11.

Yeas—Messrs. President, Clarke, Crump, Hardwicke, Harrison, Hill, Jemison, Jewett, Walker—9.

Nays—Messrs. Barnes, Cato, Davis, Groce, Ligon, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, and Stone—11.

The hour of 12 o'clock having arrived, the Senate was invited into the hall of the House for the purpose of electing a solicitor of the 6th judicial circuit.

The Senate repaired to the hall of the House where the two Houses proceeded to the election.

James Bond and Harry Toulmin, both of Mobile, being in nomination.

Those who voted for Mr. Bond are—

Messrs. Barnes, Cato, Coleman, Davis, Groce, Hardwicke, Hill, Jemison, Ligon, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, of the Senate.

Messrs. Speaker, Aikin, Berry, Bozeman, Brasher, Brindley, Burnett, Butler, Cabaniss, Calhoun, Carter, Cobb, Critcher, Crumpler, Davis, Ellis, Foreman, Foster, Griffin, Hearin, Herron, Horn, Jemison, Johnson, Langdon, Lawler, Lee, Lewis, B. B. Little, Logan, Malone, W. B. Martin, A. Martin, Mason, Middleton, Miller, McCall, Neal, Orr, Ott, Parker, Parish, Rainer, Reynolds, Riley, Rives, Robinson, Smith, Snodgrass, Thompson, Walden, Walthall, Wilkerson, Williams, Wolff, of the House—71.

Those who voted for Mr. Toulmin are—

Messrs. President, Clarke, Harrison, Heflin, Jewett, Lewis and Walker of the Senate.

Messrs. Aldridge, Arrington, Benners, Coleman, Denman, Holly, Judkins, Liddell, W. W. Little, Lynch Mabry,

Miree, McDonald, McClellen, Pratt, Slade, Starke, and Ussery of the House—25.

Mr. Bond having received 71 votes, it being a majority of all the votes cast, Mr. Speaker declared him duly elected solicitor for the 6th judicial circuit for the term prescribed by law.

Mr. Reavis, from the Judiciary Committee, reported adversely to the bill to prevent the destruction by fire of property in the towns, villages and cities of the State of Alabama.

On motion of Mr. Morgan, the report was laid on the table.

Mr. Morgan moved to amend by striking out sections 1 and 2. and inserting a substitute for the two sections as section 1;

Which motion was carried.

Also moved to amend the 3d section by inserting the words "of Shelby county" after the word "sheriff," in the third line.

Further amended by striking out the word "city" in the fourth line of same section.

Further amended by striking out the words "and two," in the 11th line of same section;

All of which amendments were adopted and the constitutional rule suspended and the bill read a third time and passed.

The title was amended by striking out "cities of the State of Alabama" and inserting "of Shelby county."

Mr. Reavis, from same committee, reported favorably to the bill for the relief of James Meharg, late tax collector of Calhoun county and his securities;

The constitutional rule was suspended and the bill read a third time and passed.

Mr. Jewett, from same committee, reported adversely to the bill to repeal in part and modify an act to regulate judicial proceedings, approved Dec. 10, 1861.

On motion by Mr. Barnes, the further consideration of the bill and report was postponed until Thursday next, and made the special order for that day.

Mr. Barnes, from same committee, reported adversely to the House bill to amend an act to allow compensation to executors, administrators and guardians in certain cases, approved Dec. 7, 1861;

The report was concurred in and the bill lost.

Mr. Rice, of Montgomery, from same committee, reported adversely to the bill to amend an act approved February

8, 1861, entitled an act to regulate judicial proceedings ;

The report was laid on the table by motion of Mr. Rice, of Montgomery.

Mr. Rice, of Montgomery, moved to amend by way of substitute.

Mr. Barnes moved to postpone the further consideration of the bill and amendment until Thursday next ;

Which was carried.

Mr. Walker, from same committee, reported favorably to the bill to amend the charter of the Ala. and Tenn. Rivers R. R. Company, the Ala. and Miss. Rivers R. R. Company, the Selma and Gulf R. R. Company, and the Western R. R. Company ;

The constitutional rule was suspended and the bill read a third time and passed.

A message was received from the Governor, by his Private Sectary Mr. Taylor :

Mr. President :

The Governor has approved and signed the following bills, which originated in the Senate :

To authorize George Goldthwaite to rent or lease the real estate of his ward by private contract ;

For the relief of J. P. Cantrell, of Marion county, and for other purposes ;

To legalize private sales made by the administrator of Alvin Burrows, deceased ;

To amend section 499 of the code so far as the counties of Macon, Barbour and Shelby are concerned ;

For the relief of Samuel B. Harman, tax collector of Macon county ;

Joint resolutions requesting the Governor to give information in relation to debts due the State Bank and Branches.

The Senate proceeded to the consideration of the House messages.

The Senate concurred in the resolution appointing a joint committee of three from each House to examine the office of Commissioner and Trustee of the State Bank and Branches.

Mr. President appointed Messrs. Harrison, Jemison and Stone the Senate committee ;

Also, concurred in the resolution of the House proposing to elect Trustees of the State University for the 1st, 4th, 6th, 10th and 11th circuits on Tuesday next at 12 m.

The Senate insisted on its amendments to the House bills—

The more effectually to secure subordination among slaves by requiring the owner or overseer to reside with them, approved Feb. 5, 1856, and appointed Messrs: Rice, Clarke, and Reavis a committee of conference on the part of the Senate;

And to amend an act to authorize the issuance of Treasury note change bills by the State of Alabama.

The House bill to prevent the introduction and spread of small pox in the State of Alabama;

Was read twice, under a suspension of the constitutional rule, and referred to a select committee of three, to-wit: Messrs. Moren, Groce and Harrison.

The House bill to establish a bridge across the Choctaw-hatchie river in Coffee county;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on Roads, Bridges and Ferries.

The House bill in relation to the distribution of the Educational Fund for 1862;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Education.

The House bills—

To prohibit the distillation of grain in the State of Alabama;

To give the probate judge of Coffee county jurisdiction of the estate of John J. Allsabrooks, of Covington county;

To provide for the security of the records and papers of the courts of this State;

More effectually to suppress the circulation of shinplasters;

In relation to the redemption of lands;

To require all persons to do business in their own names;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Senate adjourned till 9 $\frac{1}{4}$ o'clock Monday morning.

SENATE, November 24, 1862.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Baldwin.

Upon motion the call of the districts was dispensed with, when by leave the following bills were introduced:

By Mr. Brewer, a bill to provide for the election of a county treasurer of Coosa county by the people;

By Mr. Reavis, a bill to change the time of holding the chancery court of Choctaw county;

By Mr. Hill, a bill more effectually to provide for the support of indigent families of soldiers in the Confederate service from the county of Walker;

All of which were severally read three times, under a suspension of the constitutional rule and passed.

Mr. Groce, a bill to repeal in part the Military Code of the State of Alabama;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Military Affairs.

Mr. Morgan, a bill to amend sections 3076, 3078, 3128, 3129, and 3130 of the Code of Alabama;

Which was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Reavis, from the Committee on the Judiciary, reported favorably to the House bill in relation to the redemption of lands, with the following amendments:

Strike out all after the word "provisions" and insert in lieu thereof the following: "Of the existing laws of this State for the redemption of land";

The amendment was adopted, and the bill read a third time, under a suspension of the constitutional rule, and passed.

Mr. Jemison, from Committee on Insane Hospital, reported favorably to the House bill to repeal an act for the relief of insane convicts in the Penitentiary.

Mr. Groce moved to postpone the further consideration of the bill and report until Thursday next at 12 o'clock;

Which was lost—yeas 8, nays 13.

Yeas—Messrs. Brewer, Groce, Hardwicke, Heflin, Mathews, McIntyre, Rice of Montgomery, Walker—8.

Nays—Messrs. President, Cato Clarke, Coleman, Crump, Davis, Harrison, Hill, Jemison, Jewett, Morgan, Reavis and Stone—13.

Mr. Rice, of Montgomery, moved to amend as follows:

"Except as to persons who held a good character before they were sent to the Penitentiary."

On motion by Mr. Jemison the amendment was laid on the table—yeas 11, nays 8.

Yeas—Messrs. President, Brewer, Cato, Clarke, Coleman, Crump, Heflin, Jemison, Morgan, Reavis, Stone—11.

Nays—Messrs. Groce, Hardwicke, Harrison, Hill, Mathews, McIntyre, Rice of Montgomery, Walker—8.

Mr. Rice moved further to amend as follows :

“Except as to convicts who were sentenced to imprisonment in the Penitentiary for a period less than lifetime, and whose general deportment in the Penitentiary has been good, and whose general character was good before they were sent to the Penitentiary, and who were not sent there for rape.”

Mr. Rice moved that the further consideration of the bill and amendment be postponed until Thursday next ;

Which was lost—yeas 8, nays 13.

Yeas—Messrs. Brewer, Groce, Hardwicke, Heflin, Mathews, McIntyre, Rice of Montgomery, Walker—8.

Nays—Messrs. President, Cato, Clarke, Coleman, Crump, Davis, Harrison, Hill, Jemison, Jewett, Morgan, Reavis, Stone—13.

Mr. Reavis moved the previous question.

The question being “shall the main question be put,” was decided in the negative—yeas 10, nays 11.

Yeas—Messrs. President, Cato, Clarke, Coleman, Davis, Jemison, Jewett, Morgan, Reavis, Stone—10.

Nays—Messrs. Brewer, Crump, Groce, Hardwicke, Harrison, Heflin, Hill, Mathews, McIntyre, Rice of Montgomery, Walker—11.

The question recurring on the amendment of Mr. Rice, of Montgomery, it was adopted—yeas 11, nays 10.

Yeas—Messrs. Brewer, Crump, Groce, Hardwicke, Harrison, Heflin, Hill, Mathews, McIntyre, Rice of Montgomery, Walker—11.

Nays—Messrs. President, Cato, Clarke, Coleman, Davis, Jemison, Jewett, Morgan, Reavis, Stone—10.

The bill was then read a third time, under a suspension of the constitutional rule, and passed—yeas 12, nays 9.

Yeas—Messrs. President, Cato, Clarke, Coleman, Davis, Harrison, Hill, Jemison, Jewett, Morgan, Reavis, Stone—12.

Nays—Messrs. Brewer, Crump, Groce, Hardwicke, Heflin, Mathews, McIntyre, Rice, of Montgomery, Walker—9.

Message from the House by Mr. Eason :

HOUSE OF REPRESENTATIVES, }
November 24, 1862. }

Mr. President :

The House has originated and passed the following bills :

To amend section 97 of the code, and for other purposes ;

For the relief of John P. Gates, late tax collector of Pickens county ;

To incorporate the Southern Express Company ;

For the relief of John C. Burgess, late tax collector of Coosa county, for the years 1845 and 1846, and his sureties ;

And has passed the Senate bill to authorize the executors of N. B. Powell, deceased, to dispense with certain returns and settlements in the probate court ;

Supplementary to an act to provide spinning or cotton and wool cards.

The hour of 12 having arrived, the Senate proceeded to the consideration of the special orders, the first in order being the bill—

For the relief of John T. Milner & Co.

On motion of Mr. Rice, of Montgomery, the bill was re-committed to the Judiciary Committee.

The next special order being the bill supplementary to an act to provide for the public safety ;

Which was read a third time, under a suspension of the constitutional rule, and passed—yeas 14, nays 3.

Yeas—Messrs. President, Brewer, Cato, Clarke, Coleman, Crump, Davis, Harrison, Heflin, Jemison, Jewett, Reavis, Stone, Walker—14.

Nays—Messrs. Groce, Mathews, Rice of Montgomery—3.

The Senate proceeded to the consideration of the messages from the House.

The House bills for the relief of John C. Burgess, late tax collector of Coosa county, for the years 1845 and 1846, and his sureties ;

For the relief of John P. Gates, late tax collector of Pickens county ;

Were severally read twice, under a suspension of the constitutional rule, and referred to Committee on Finance and Taxation.

The House bill to incorporate the Southern Express Company ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Corporations.

The House bill to amend section 97 of the code, and for other purposes ;

Was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Cato, from the Judiciary Committee, reported favorably to the bill the better to secure to married women their separate estate.

The bill was read a third time, under a suspension of the constitutional rule, and lost.

Mr. Stone, from the Judiciary Committee, reported favorably to the House bill to require all persons to do business in their own names;

Also, from the Committee on Education, reported favorably to the House bill in relation to the distribution of the educational fund for 1862;

Both of which were read a third time, under a suspension of the constitutional rule, and passed.

Mr. Morgan, from the committee on Accounts and Claims, reported favorably to the House bill for the relief of Robt. S. Rabb, of Conecuh county.

The bill was ordered to a third reading on to-morrow.

Mr. Davis, from the Committee on the Judiciary, reported favorably to the House bill to give the probate judge of Coffee county jurisdiction of the estate of John J. Allsabrook, late of Covington county, with the following amendment:

Strike out "whereas," in 1st line, after enacting clause, and insert the word "whenever."

The amendment was adopted, the bill read a third time, under a suspension of the constitutional rule, and passed.

Mr. Rice, from the Judiciary Committee, reported a substitute for the House bill to provide for the security of the records and papers of the courts of this State.

The substitute was adopted, the bill read a third time, under a suspension of the constitutional rule, and passed.

The caption was amended so as to read as follows:

To provide for the security of the records and papers in the custody of the several officers in this State;

Mr. Mathews, from the Committee on Roads, Bridges and Ferries, reported favorably to the House bill to establish a bridge across the Choctawhatchie river, in Coffee county;

Mr. Coleman, from the Committee on the Insane Hospital, reported favorably to the House bill in relation to the transfer of insane convicts from the penitentiary to the hospital for insane persons;

Both of which were read a third time, under a suspension of the constitutional rule, and passed.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

A bill to authorize the executors of N. B. Powell, dec'd, to dispense with returns and settlements in the probate court;

A bill supplementary to an act entitled an act to provide spinning or cotton and wool cards.

On motion by Mr. Jemison, the bill to authorize impress-

ments and prevent extortion, was taken from the table, and made the special order for Tuesday, at half past 10 o'clock.

Leave of absence was granted to Mr. Reavis.

On motion by Mr. Brewer,

Senate adjourned till 15 minutes to 10 o'clock, to-morrow morning.

NOVEMBER 25, 1862.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Ferguson.

By leave, the following bills were introduced:

Mr. Ligon, a bill to restrict the retailing of spirituous liquors;

Which was read twice, under a suspension of the constitutional rule, and referred to the committee on the judiciary;

Also, a bill for the relief of the probate judges of this State;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

Mr. Ligon, from the Committee on Confederate Relations, reported favorably to the joint resolutions in relation to the war debt of the Confederate States.

The resolutions were ordered to be engrossed for a third reading.

Mr. Groce, from the Select Committee, reported favorably to the House bill to prevent the introduction and spread of small pox in the State of Alabama.

The constitutional rule was suspended, and the bill read a third time and passed.

A message from the House of Representatives by Mr. Eason:

HOUSE OF REPRESENTATIVES, }
November 25th, 1862. }

Mr. President:

The House has originated and passed the following bills:

To change the boundary line between Montgomery and Pike counties;

For the relief of Mary and Nancy Jarvis, of Coosa county;

To authorize executors, administrators, guardians and trustees, to provide salt for their trust estates;

To authorize the taking of depositions of subscribing witnesses to wills in certain cases;

To amend an act, approved Feb. 8th, 1858, entitled an act

to fix the mode of conveying estates of husband and wife;
 To define the duties and obligations of common carriers;
 For the benefit of the hospital at Richmond, for sick and wounded soldiers from Alabama, and for the benefit of the military aid society of Mobile, and for other purposes;

In relation to the estate of Lewis L. Langdon.

The House has passed the following Senate bills:

To authorize the corporate authorities of the city of Montgomery to control and improve the grounds around the capitol;

To amend the law relating to the printing of the reports of the decisions of the supreme court;

To provide for making persons absent in the Confederate army parties to applications to probate wills, and for grants of administration.

Joint resolutions in relation to the liability of militia officers of this State to enrollment under the conscription acts of the Confederate Congress;

For the relief of Drs. Jas. C. Harris, Thomas W. Mason, and M. G. Moore.

The House has amended and passed the Senate bill for the relief of the indigent families of soldiers in Sumter county.

The House recedes from its amendment to the Senate amendment to the House bill to amend an act to authorize the issuance of Treasury note change bills by the State of Alabama;

And insists on its disagreement to the Senate amendment, and has appointed Messrs. Smith, Cabaniss and Lawler, a committee of conference upon the matters of disagreement, and asks a like committee on the part of the Senate.

The House restricts the Senate bill for the relief of Margaret Lerch, of Montgomery county.

The House has originated and passed a bill to provide means for arresting the spread of the small pox in the county of Tallapoosa, and for other purposes.

A. B. CLITHERALL, Clerk.

Mr. Barnes, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

To provide for making persons absent in the Confederate army parties to applications to probate wills and for grants of administration;

To authorize the corporate authorities of the city of Montgomery to control and improve the grounds around the capitol;

To amend the law relating to the printing of the reports of the decisions of the supreme court;

Joint resolutions in relation to the liability of militia officers of this State to enrollment under the conscription acts of the Confederate States;

For the relief of Drs. James C. Harris, Thos. W. Mason, and M. G. Moore.

The House bill to provide means for arresting the spread of small pox in the county of Tallapoosa, and for other purposes;

Was read three times, under a suspension of the constitutional rule, and passed, and ordered forthwith to the House.

The hour of 10 $\frac{1}{2}$ o'clock having arrived, the Senate proceeded to the consideration of the special order, it being the bill to authorize impressments and to prevent extortion.

The Senate considered the bill section by section.

Mr. Jemison moved to amend the 1st section by striking out the words "in like manner," in 8th line, and insert the words "for the same purposes";

Adopted.

Mr. Jemison moved to amend the 3d section by substitute;

Which was adopted.

Also moved to amend in 9th line of section 4 by inserting after the word "summoned" the words "and to administer the oath for that purpose";

Also, to insert after the word "oath" in 11th line the words "and to administer the oath";

Which were adopted.

Mr. Rice moved to amend 2d line of same section by inserting before the word "manufacturing" the words "tanning or";

Which was adopted.

Mr. McIntyre moved to amend the 7th section by striking out from the word "misdemeanor," in the 7th line to the word "months" in the 9th line inclusive, and insert the following: criminal offence and on conviction thereof shall be imprisoned in the Penitentiary for any period not exceeding ten years, the jury trying the case may prescribe, or be fined in any sum not exceeding twenty thousand dollars, the jury trying the case may prescribe, and be imprisoned in the county jail for any period not exceeding one year, the jury trying the case may prescribe;

Which was adopted.

Mr. Rice, of Montgomery, moved to amend same section by inserting after the word "act," in the 5th line, the following: "remove from this State, or attempt to remove from this State, or";

Which was adopted.

Also moved to insert the words "owner or" after the word "any" in first line of same section;

Adopted.

Also moved to amend by striking out the words "if the valuation of such assessment," in the 3d line of section 9, and inserting the following: "or for the use of any such property, commodity, goods, merchandize, or thing, is";

Adopted.

Also moved to amend the 10th line by inserting after the word "thing" the words "or the use of the property or thing";

Which was adopted.

Also moved to amend by inserting after the word "proceedings," in the 17th line, the following: "but in favor of the person so dissenting for the amount so judicially ascertained";

Which was adopted.

The hour of 12 o'clock having arrived, the Senate was invited into the hall of the House for the purpose of proceeding into the election set for that hour.

Hon. Porter King for the 1st, Z. F. Freeman for the 4th, Hon. A. B. Meek for the 6th, George S. Walden for the 10th and Felix Tate for the 11th judicial circuits having each received all and a majority of the votes cast, were declared duly and constitutionally elected Trustees for the State University for the term prescribed by law.

The business of the convention being concluded, the Senate returned to its chamber and resumed the consideration of the bill.

Mr. Harrison moved to amend by striking out "ten," in 19th line of same section, and inserting "fifty";

Which was adopted.

Mr. Rice, of Montgomery, moved to amend by striking out all after the word "costs," in 20th line of same section;

Which was adopted.

Mr. Reavis moved to amend by striking out the words "the same," in 6th line of 12th section, and inserting the words "such interrogatories";

Which was adopted.

On motion by Mr. Rice, of Montgomery, section 13 was stricken out.

Mr. Rice, of Montgomery, moved to amend by inserting after the word "rates," in 4th line of section 14, the word "usually," and strike out the words "before impressment," in the 5th line of same section;

Which was adopted.

As thus amended, the constitutional rule was suspended and the bill read a third time.

Mr. Jemison moved to fill the first blank in section 3 with the word "forty."

Mr. Harrison moved "thirty-three and one-third";

Motion prevailed.

Mr. Jemison moved to fill the second blank in the same section with "fifty";

Pending the consideration of which motions,

The Senate adjourned until 10 o'clock to-morrow morning.

SENATE, November 26, 1862.

The Senate met pursuant to adjournment.

Prayer by Mr. Crump, senator from Blount and St. Clair.

By leave Mr. Brewer presented a memorial of sundry citizens of Coosa county;

Which was referred to the Judiciary Committee.

Mr. Reavis presented petition of Minor Robinson and others;

Which was referred to the Judiciary Committee.

Mr. Ligon introduced a bill to define the effect of probate court decrees;

Which was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Davis, from the Judiciary Committee, reported adversely to the House bill to amend section 97 of the code, and for other purposes;

The report was concurred in.

Mr. Clarke from same committee, reported a substitute for the bill to better protect Government powder mills, cartridge factories, arsenals, foundries, &c.;

The substitute was adopted and the bill read a third time under a suspension of the constitutional rule and passed.

The caption was amended so as to read—

To protect Government works and other works in the State of Alabama.

Mr. Rice, of Montgomery, from the Committee on Mili-

tary Affairs, to which was referred the Quartermaster's and Auditor's report, reported that they were too voluminous for examination by the committee on account of the limited time allowed, and the view of the imminent dangers to be guarded against, they deem it their paramount duty to devote their short time to measures providing for the successful defense of the State against the impending dangers of invasion, and recommend the passage of the accompanying bill :

To authorize the Governor to appoint a suitable person to examine matters relating to the Auditor's office and Quartermaster's department ;

Which was read twice under a suspension of the constitutional rule.

Mr. Harrison moved to amend as follows :

Strike out "person" and insert "commission of three persons" ;

Also moved to refer the bill, report and amendment to a select committee of three ;

Which was carried.

Mr. President appointed Messrs. Harrison, Reavis, Jemison said committee.

Mr. Reavis, from the Judiciary Committee, reported favorably to the bill to amend sections 3076, 3078, 3128, 3129 and 3130 of the code of Alabama ;

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. ——— moved to amend the caption as follows :

And to provide for the surrender of persons violating them to the State authorities ;

Which was adopted.

Mr. Stone, from same committee, reported adversely to the House bill to suspend a portion of an act in relation to the funded debt of the city of Mobile ;

The report was concurred in.

A message was received from the Governor, by his Private Secretary Mr. Taylor, announcing his approval of the following bills :

Mr. President :

The Governor has approved and signed the following bills:

To provide for making persons absent in the Confederate army parties to applications to probate wills and for grants of letters of administration ;

To authorize the corporate authorities of the city of Mont-

gomery to control and improve the grounds around the capitol;

To amend the law relating to the printing of the reports of the decisions of the supreme court;

Supplementary to an act entitled an act to provide spinning or cotton and wool cards;

For the relief of Drs. Jas. C. Harris, Thomas W. Mason, and M. G. Moore;

To authorize the executors of N. B. Powell, deceased, to dispense with certain returns and settlement in the probate court;

Also joint resolutions in relation to the liability of militia officers of the State to enrollment under the conscription acts of the Confederate States.

The Senate proceeded to the consideration of the special order, it being the bill to authorize impressments and prevent extortion.

On motion by Mr. Reavis, the Senate reconsidered the vote of yesterday giving the bill a third reading.

Mr. Reavis moved to amend the 3d section as follows:

Insert between the words "act" and "the Governor" the following: "Except agricultural productions and provisions raised in the State";

The amendment was adopted.

Also moved to amend as follows:

Add to 3d section—For all agricultural productions and provisions raised in this State, impressed under the provisions of this act, the Governor shall make just compensation to be agreed upon or ascertained as hereinafter provided;

The amendment was adopted.

Mr. Harrison moved to reconsider the vote by which the first blank in the 3d section was filled;

Which carried;

On motion by Mr. Harrison the blank was filled by inserting "fifty."

On motion by Mr. Reavis the second blank was filled by inserting "fifty."

On motion by Mr. Jemison the blank in the 15th section was filled by inserting "500,000."

Mr. Reavis moved to amend the 14th section by inserting the words "or so much thereof as may be necessary" between the words "dollars" and "is";

Which was adopted.

Mr. Jemison moved to amend by additional section as section 16;

Which was adopted.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Jemison from select committee, reported favorably to the bill to prevent the extortionate charges for freight, with the following amendments:

1st. After the word "or," in 6th line of section 1, add the words "the passage of persons and";

2d. After the word "steamboats," at the end of 7th line of section 1, add the words "and by Express Companies";

3d. Additional section as section 5;

The amendments were adopted and the bill read a third time, under a suspension of the constitutional rule and passed.

The caption was amended as to read—

To prevent the extortionate charges for freight and passage.

The Senate proceeded to the consideration of the message from the House.

The first in order being the House bill to amend an act to authorize the issuance of Treasury note change bills by the State of Alabama, upon which the House asked for a committee of conference upon the matters of disagreement between the two Houses.

Mr. Jemison moved that the Senate recede from its amendments.

Mr. Rice moved that a committee of conference be appointed.

The President decided that the motion of Mr. Rice was out of order, from which decision Mr. Rice, of Montgomery, appealed.

The question being, shall the decision of the chair be the decision of the Senate?

Was decided in the affirmative—yeas 11, nays 7.

Yeas—Messrs. Clarke, Coleman, Crump, Groce, Jemison, Ligon, Mathews, Moren, Reavis, Stone, Walker—11.

Nays—Messrs. Brewer, Harrison, Heflin, Hill, Jewett, Morgan, Rice of Montgomery—7.

The question then recurred on the motion to recede;

Which was lost—yeas 7, nays 13.

Yeas—Messrs. President, Clarke, Coleman, Groce, Jemison, Jewett, Walker—7.

Nays—Messrs. Brewer, Crump, Davis, Harrison, Heflin, Hill, Ligon, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Stone—13.

Mr. Morgan moved that a conference committee be appointed;

Which was adopted

Messrs. Morgan, Rice and Hill were appointed the committee.

The next in order was the amendment of the House to the Senate bill for the relief of indigent families of soldiers in Sumter county.

The Senate occurred in the amendment of the House.

The House bills to define the duties and obligations of common carriers.

In relation to the estate of Lewis L. Langham;

To amend an act approved Feb. 8, 1858, to fix the mode of conveying the estate of husband and wife;

Were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bill for the benefit of the hospitals established in Richmond, Va., for sick and wounded soldiers from Alabama;

Also, for the benefit of the military aid society of Mobile, and for other purposes;

Was read twice, under a suspension of the constitutional rule, and referred to a Select Committee, of which Mr. Stone is chairman.

The House bills—

To authorize the taking of depositions of subscribing witnesses to wills in certain cases;

To authorize executors, administrators, guardians and trustees to provide salt for their trust estates;

For the relief of Mary and Nancy Jarvis, of Coosa county,

Were read three times and passed.

The House bill to change the boundary line between Montgomery and Pike counties;

Was read three times, under a suspension of the constitutional rule, and passed—yeas 18, nays 2.

Yeas—Messrs. President, Brewer, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Ligon, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Stone, Walker—18.

Nays—Messrs. Jemison and Jewett—2.

Mr. Brewer offered the following resolution, which was adopted:

Resolved, That the Military Committee be instructed to inquire into the expediency of raising a military force for

the defense of Alabama, independent of the Confederate forces, out of the militia of the State, who are exempt under the conscription acts of Congress, embracing those who have furnished substitutes in the Confederate army; the said force to consist of soldiers regularly maintained at the expense of the State, so long as deemed necessary for the defense of the same.

Senate adjourned until 15 minutes to 10 o'clock to-morrow morning.

NOVEMBER 27, 1862.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Brewer, Senator from Coosa.

Mr. Clarke, from the Committee on Corporations, reported favorably to the bill to amend the charter of the Eufaula Home Insurance Company, with amendments.

1st strike out all after the words "Confederate States," in 1st section; 2d, strike out 2d section.

Mr. Cato moved to lay the report on the table;

Which was lost.

The Senate refused to adopt the amendments—yeas 8, nays 9.

Yeas—Messrs. President, Brewer, Clarke, Coleman, Groce, Hill, Jewett, Morgan—8.

Nays—Messrs. Cato, Crump, Davis, Harrison, Ligon, Mathews, Moren, Reavis, Stone—9.

The constitutional rule was suspended, and the bill read a third time, and passed—yeas 9, nays 8.

Yeas—Messrs. Cato, Crump, Davis, Harrison, Ligon, Mathews, Moren, Reavis, Stone—9.

Nays—Messrs. President, Brewer, Clarke, Coleman, Groce, Hill, Jewett and Morgan—8.

Mr. Cato, from the Committee on Public Lands, reported adversely to the bill to allow the Shelby County Iron Company to enter lands at a specified price.

The report was concurred in, and the bill lost.

Mr. Jewett, from the Committee on Public Lands, reported favorably to the bill to authorize the sale of public lands heretofore temporarily withdrawn from market, with an amendment to strike out the proviso at the end of the bill.

On motion by Mr. Rice, of Montgomery, the further consideration of the bill and report was postponed until Saturday next.

Message from the House by Mr. Eason:

HOUSE OF REPRESENTATIVES,
November 27, 1862. }

Mr. President :

The House has passed the following Senate bills:

To detach Macon county from the middle, and attach it to the southern chancery division;

And to detach Sumter county from the southern and attach it to the middle chancery division;

Supplementary to an act to provide for the public safety;

More effectually to provide for the support of indigent families of soldiers in the Confederate army, from the county of Walker;

To provide for the election of county treasurer of Coosa county by the people;

To change the time of holding the chancery court of Choctaw county;

To provide for the re-organization of the State Penitentiary, with amendments thereto;

To establish a bank in the town of Opelika, Ala., to be called the "Exchange Bank of Alabama;"

For the relief of Wm. R. Mason, register in chancery for 13th district middle chancery division;

To amend the charter of the Ala. & Tenn. Rivers R. R. Company, the Ala. and Miss. Rivers R. R. Company, the Selma and Gulf R. R. Company, and the Western R. R. Company;

To repeal in part an act to regulate agencies of insurance companies not incorporated by the State of Alabama, approved Feb. 24th, 1860, so far as it relates to life insurance companies incorporated by any of the Confederate States, which do not take river, fire, or marine risks.

The House has rejected the Senate bill to provide for meeting appropriations out of the State Treasury.

The House has amended the Senate amendment to the House bill for the relief of insane convicts in the penitentiary;

And as amended, concurred in the same.

The House concurs in the Senate amendments to the House bills—

To provide for the security of the records and papers in the custody of the officers of this State;

In relation to the redemption of lands;

To give the probate judge of Coffee county jurisdiction of estate of John J. Allsabrooks.

The House has originated and passed bills—

To incorporate the Mobile and S. Western R. R. Co.;
 For the relief of White, Pfister & Co.;
 To authorize the issue and sale of State bonds;
 To amend the law in relation to elections in certain cases;
 For the relief of Harrison J. Clark, jr., tax collector of Cherokee county;

To authorize the removal of the estate of John B. Christian, deceased, from the county of Butler to the county of Wilcox;

To repeal an act relating to the fees of notaries public in the city of Mobile;

To provide for the discovery of lead in Alabama.

Joint resolutions of thanks to the ladies of Alabama.

ALEX. B. CLITHERALL, Clerk.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

Supplementary to an act to provide for the public safety;

To provide for the election of a county treasurer of Coosa county by the people;

More effectually to provide for the support of the indigent families of soldiers in the Confederate army from the county of Walker;

To change the time of holding the chancery court of Choctaw county;

For the relief of indigent families of soldiers in Sumter and Walker counties.

Mr. Rice, of Montgomery, from the Judiciary Committee, reported a substitute for the House bill to prohibit the distillation of grain in the State of Alabama.

The substitute was adopted—yeas 16, nays 5.

Yeas—Messrs. President, Cato, Clarke, Coleman, Groce, Harrison, Heflin, Jewett, Ligon, Moren, Morgan, McIntyre, Reavis, Rice of Montgomery, Stone, Walker—16.

Nays—Messrs. Brewer, Crump, Davis, Hill and Mathews—5.

Mr. Reavis moved to amend the 3d section by adding thereto the following:

Provided, however, That no person shall be liable under the provisions of this act, who shall hereafter obtain authority from the Governor to distill grain of any description;

Which was adopted.

Mr. Hill moved to postpone the further consideration of the bill until Saturday next;

Which was lost.

Mr. Brewer moved to amend as follows :

Add at the end of the 3d section the following: "Provided, that no spirituous liquors disposed of by the State under the provisions of this act shall be sold by the State, or any of its agents, to any of its citizens, for more than the actual cost of manufacture and transportation.

On motion of Mr. Reavis, the amendment was laid on the table.

Mr. Morgan moved to amend by adding to the 3d section the following :

Provided, That the party or parties applying to the Governor for the privilege of distilling grain, shall accompany such application with the recommendation from the probate judge of his or their county, that the same be granted.

On motion by Mr. Rice, the amendment was laid on the table.

Mr. McIntyre moved to amend by striking out the words "or spirituous liquors," in section 2, and at the end of the last section add the following: "Provided, that nothing but alcohol shall be distilled, under the provisions of this act, and that of 95 per cent. strength, the penalties provided by the act to be inflicted for a violation of this proviso."

On motion by Mr. Rice, of Montgomery, the amendment was laid on the table.

Mr. Hill moved to amend by striking out all after the word "act," in the 2d line from the top, on page 2, in section 2;

Which was lost.

Mr. Harrison moved to amend by adding to section 4, the following :

Provided, That not more than two distilleries shall be established under this act, and the quantity to be distilled shall be limited by the Governor.

On motion by Mr. Reavis the amendment was laid on the table—yeas 13, nays 6.

Yeas—Messrs. President, Cato, Clarke, Coleman, Davis, Groce, Heflin, Jewett, Ligon, Morgan, Reavis, Rice of Montgomery, Walker—13.

Nays—Messrs. Brewer, Crump, Harrison, Hill, Mathews, McIntyre—6.

Mr. Hill moved to strike out the 4th section.

Mr. President (Mr. Clarke in the chair) decided the motion out of order, as a motion to strike out could not be entertained after the adoption of the substitute.

The constitutional rule was suspended, and the bill read a third time and passed—yeas 16, nays 5.

Yeas—Messrs. President, Cato, Clarke, Coleman, Crump, Groce, Heflin, Jewett, Ligon, Moren, Morgan, McIntyre, Reavis, Rice, of Montgomery, Stone, Walker—16.

Nays—Messrs. Brewer, Davis, Harrison, Hill, Mathews—5.

A message was received from the Governor by his private Secretary, Mr. Taylor, announcing his approval of the following bills:

Supplementary to an act to provide for the public safety;

To provide for the election of county treasurer of Coosa county by the people;

To change the time of holding the chancery court of Choctaw county;

More effectually to provide for the support of the indigent families of soldiers in the Confederate army from the county of Walker.

By leave, Mr. Walker introduced a bill to authorize the State of Alabama to sue in the county of Montgomery, or in the county of the residence of the defendant;

Which was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The Senate proceeded to the consideration of the special orders, being the bill to withdraw from sale the public lands of the State;

Which was postponed until to-morrow, half-past 10 o'clock.

To amend an act approved Feb. 8th, 1861, entitled an act to regulate judicial proceedings;

Which was postponed until to-morrow.

Mr. Jewett, from the Select Committee on Salt Supplies, reported a substitute for the House bill to amend an act supplemental to two several acts, in relation to salt, approved Dec. 7, 1861, and the same acts to which it is supplemental, and for other purposes.

On motion by Mr. Rice, the further consideration of the bill and report was postponed and made the special order for to-morrow, 12 o'clock.

The Senate proceeded to the consideration of the House messages.

The Senate concurred in the amendment made by the House to the Senate amendment to the House bill to repeal an act entitled an act "for the relief of insane convicts in the penitentiary."

The Senate proceeded to consider the amendments made

by the House to the bill to provide for the re-organization of the State Penitentiary.

The Senate agreed to, and concurred in the 1st, 2d, 4th, and 6th amendments, and refused to concur in the 3d and 5th;

And pending the consideration of the 7th, Mr. Rice of Montgomery, being entitled to the floor,

The Senate adjourned until to-morrow morning, quarter to 10 o'clock.

NOVEMBER 28, 1862.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Crump, Senator from Blount.

By leave, the following bills were introduced:

Mr. Rice, of Montgomery, a bill making appropriations for the military defense of Alabama;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on the Military;

Also, a bill to amend section 3143 of the code;

Also, a bill to amend section 3150 of the code;

Mr. Cato, a bill to authorize the Secretary of State to employ a clerk;

Mr. Davis, a bill for the relief of Louisa Ann and Wm. W. Davis;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the Committee on the Judiciary;

Mr. Hill, a bill to regulate the pay of officers in the land office department;

Which was read twice, under a suspension of the constitutional rule, and referred to Committee on Public Lands.

Mr. Clarke offered the following resolution, which was adopted:

Resolved, That a select committee be appointed by the President of the Senate, to enquire into the manner in which the affairs of the University of Alabama are conducted, and to report by bill or otherwise whether any further legislation in relation thereto is necessary.

Mr. President appointed Messrs. Clarke, Stone and Reavis, the committee.

Mr. Rice, of Montgomery, from the Judiciary Committee, reported adversely to the House bill to define the duties and obligations of common carriers.

The report was concurred in, and the bill lost.

Mr. Reavis gave notice that he would move to reconsider the vote just taken concurring in the above report.

Mr. Barnes, from the Judiciary Committee, to whom was referred the memorial of Geo. W. Franklin and John Tyler Franklin, of Coosa county, reported the following bill, in conformity to the prayer of the memorialists:

A bill for the relief of Geo. W. Franklin and John Tyler Franklin, of the county of Coosa;

Which was read three times, under a suspension of the constitutional rule, and passed.

Mr. Stone, from the same committee, reported adversely to the memorial of Minor Robinson, and others.

The report was concurred in.

Also, favorably to the House bill for the relief of George Newman, guardian of James N Trawick.

The constitutional rule was suspended, and the bill read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Mathews, Moren, Reavis, Rice of Montgomery, Stone and Walker—22.

Mr. Jemison presented a communication from F. Duncan, of Tuscaloosa;

Which was referred to the Committee on Propositions and Grievances.

Mr. Reavis, from the same committee, reported favorably to the House bill in relation to the estate of Lewis L. Langham, with an amendment by proviso, to come in at the end of the bill.

The amendment was adopted, and the bill read a third time and passed.

The Senate proceeded to consider the amendments of the House to the bill to provide for the re-organization of the State Penitentiary, which was under consideration at the adjournment on yesterday.

The question pending being on Mr. Rice's motion to disagree to the 7th amendment.

The amendment was disagreed to—yeas 10, nays 8.

Yeas—Messrs. Barnes, Brewer, Groce, Heflin, Hill, Ligon, Lewis, Mathews, Rice of Montgomery, Walker—10.

Nays—Messrs. Cato, Clarke, Davis, Jemison, Jewett, Moren, Reavis, Stone—8.

Mr. Harrison, from joint committee, made the following report:

The joint committee of the two houses of the General Assembly, appointed as provided for by section 34 of the code, to examine the offices of Comptroller and Treasurer, report that they have examined carefully the books and vouchers in the Comptroller's office, from 30th Sept., 1861, to 30th Sept., 1862, comparing the vouchers with the entries thereof in the books, carefully casting up the footing and taking the extensions, all of which they found to be correct, and that all the warrants drawn during the fiscal year ending as above, were issued in pursuance of law.

Your committee find that the amount of receipts and disbursements during the time embraced in this examination, as shown by the comptroller's books, were as follows:

The receipts from all sources in the civil department during the fiscal year, ending 30th Sept. 1862, were—

	\$3,268,233 50
Add balance on hand Sept. 30th, 1861.....	293,665 37
Making an aggregate sum of.....	\$3,551,898 87
The disbursements during same period were..	3,164,540 67
Leaving balance in Treas'y end of fiscal year, end Sept. 30, 1862, of.....	\$ 387,358 20

Your committee also examined the books and vouchers in the Treasurer's office, for the fiscal year ending Sept. 30th, 1862, (civil department) and find that the same agree precisely, both as to receipts and disbursements, with the amounts charged and credited in the Comptroller's office, as heretofore reported by your committee.

From this comparison of the operations of the two offices your committee find that the balance due the State in this department, on the 30th Sept., 1862, was—

	\$387,358 20
And that the receipts from 30th Sept. to 25th Nov., 1862, the day on which they closed the examination, were.....	129,819 16
Making together the sum of.....	\$517,177 36
The disbursements to the same date, your com- mittee find to have been.....	195,378 72
Showing balance due the State, 25th Nov. 1862,	

in this department, of..... \$321,798 64

All of which was counted by your committee, and found to be remaining in the Treasury on that day, as stated by the Treasurer.

Your committee would also report that they have examined the account of receipts and disbursements in the military department, Treasurer's office, and find that the entire amount received during the fiscal year ending 30th Sept., 1862, including the proceeds of salt sold and returned to the Treasurer, clothing, commutation money and other repayments, were—

\$1,431,469 79

To which should be added balance on hand
at date of last report of..... 217,237 68

Making together the sum of..... \$1,648,707 47

The disbursements during the fiscal year ending 30th Sept., 1862, your committee find to have been..... \$1,489,880 73

Showing balance in the Treasury to the credit of this department, at close of fiscal year ending 30th Sept., 1862..... 158,826 74

The receipts from 30th Sept. to 25th Nov., have been..... 261,676 20

Making together the sum of..... \$420,502 94

The disbursements from the 30th Sept., to 25th Nov., 1862, were..... 335,843 29

Showing balance due the State in the military department, on the 25th day Nov., 1862, of.. \$84,659 65

All of which was shown by the Treasurer, and counted by your committee, and found to be correct as stated by that officer.

All of which is respectfully submitted.

EDMUND HARRISON,
Chairman Senate Committee.

A. G. MABRY,
Chairman House Committee.

The Senate proceeded to the consideration of the general orders.

The joint resolutions in relation to the war debt of the Confederate States ;

Was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Davis, Groce, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Mathews, Moren, McIntyre, Reavis, Rice of Montgomery, Stone, Walker—22.

Nays—0.

The House bill for the relief of Robt. S. Rabb, of Conecuh county ;

Was read a third time and passed—yeas 22, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Davis, Groce, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Mathews, Moren, McIntyre, Reavis, Rice of Montgomery, Stone and Walker—22.

Nays—0.

A message from the House of Representatives by Mr. Eason :

HOUSE OF REPRESENTATIVES,
November 28, 1862. }

Mr. President :

The House has originated and passed the following bills :
To amend the revenue laws of the State ;

To authorize executors and administrators to administer oaths in certain cases ;

And has rejected the Senate bills—

To extend the time for the executors of John H. Murphy to make final settlement ;

For the relief of Margaret Tompkins and Elean Tompkins, of Covington county, and Jesse B. and Mary Ann Todd.

ALEX. B. CLITHERALL, Clerk.

The Senate proceeded to the consideration of the House messages.

The House bill to amend the law in relation to elections in certain cases ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Privileges and Elections.

The House bill for the relief of White, Pfister & Co. ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Accounts and Claims.

The House bill to authorize the issue and sale of State bonds ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation.

The House bill to incorporate the Mobile and South Western R. R. Company ;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on Corporations.

The House bill to authorize the removal of the estate of John B. Christian, dec'd, from the county of Butler to the county of Wilcox ;

And for the relief of Harrison J. Clarke, jr., tax collector of Cherokee county ;

Was read three times, under a suspension of the constitutional rule, and passed.

The House bills—

To repeal an act relating to the fees of notaries public in the city of Mobile ;

To authorize executors and administrators to administer oaths in certain cases ;

Was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House joint resolutions of thanks to the ladies of Alabama ;

Were read and adopted.

The House bill to provide for the discovery of lead in Alabama ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Military Affairs.

The House bill to amend the revenue laws of the State ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Finance and Taxation, together with a scheme for levying taxes, presented by Mr. Rice, of Montgomery ;

As also a bill in relation to taxing cotton, as presented by Mr. Clarke, with instructions to enquire into the expediency of amending the House bill so as to make it conform to the plan as proposed in the scheme presented by Mr. Rice.

The hour of half past 10 o'clock having arrived, the Senate proceeded to the consideration of the special order for that hour, it being the bill to withdraw from sale the public lands of the State.

The question pending being the adoption of the amendment reported by the committee to the 5th section,

Mr. Rice, of Montgomery, moved to amend the committee amendment by substitute, as follows :

That the offices of commissioner and draughtsman of the State land office, are hereby continued until the next session of the General Assembly.

Mr. Groce moved to refer the bill and amendments to a select committee of five.

Mr. Cato moved to lay the bill and amendments on the table, which motion having the precedence, was first put,
And lost—yeas 11, nays 12.

Yeas—Messrs. President, Barnes, Brewer, Cato, Davis, Groce, Heflin, Ligon, Lewis, Mathews, Rice of Montgomery—11.

Nays—Messrs. Clarke, Coleman, Crump, Harrison, Hill, Jemison, Jewett, Moren, McIntyre, Reavis, Stone, Walker—12.

The question recurred on Mr. Groce's motion to refer ;

Which was lost—yeas 11, nays 12.

Yeas—Messrs. President, Barnes, Brewer, Cato, Davis, Groce, Heflin, Ligon, Lewis, Mathews, Rice of Montgomery—11.

Nays—Messrs. Clarke, Coleman, Crump, Harrison, Hill, Jemison, Jewett, Moren, McIntyre, Reavis, Stone, Walker—12.

On motion by Mr. Cato, the further consideration of the bill was postponed until Tuesday, half-past 10 o'clock, and made the special order for that hour.

Yeas—Messrs. President, Barnes, Brewer, Cato, Coleman, Davis, Groce, Heflin, Ligon, Lewis, Mathews, Rice of Montgomery—12.

Nays—Messrs. Clarke, Crump, Harrison, Hill, Jemison, Jewett, Moren, McIntyre, Reavis, Stone, Walker—11.

Mr. Clarke offered the following resolution, which under the rules of the Senate, lies over one day :

Resolved, That from to-day, no member of the Senate shall speak on any subject before it, at this session, more than twice, with or without the leave of the members thereof.

The Senate proceeded to the consideration of the next special order for this day, it being the bill to amend an act approved Feb. 8th, 1861, entitled an act to regulate judicial proceedings.

The question pending being on the adoption of the substitute offered by Mr. Rice, of Montgomery,

On motion by Mr. Coleman, the bill and substitute were laid on the table.

The next special order being the House bill to amend an act supplemental to two several acts in relation to salt, approved Dec. 7, 1861, and the several acts to which it is supplemental, and for other purposes.

The question pending being on the adoption of the substitute reported by the committee; pending the consideration of which

Senate adjourned until 15 minutes to 10 o'clock to-morrow morning.

NOVEMBER 29, 1862.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Hill.

By leave, the following bills were introduced :

Mr. Ligon, a bill to substitute the Confederate States as party plaintiff in lieu of alien enemies in all suits pending in the courts of this State ;

Also, a bill for the relief of the guardian of Morris E. Walker ;

Mr. Barnes, a bill to suspend during the war the statutes of non-claims in certain cases ;

Also, a bill to repeal the 19th section of an act to regulate judicial proceedings, approved Dec. 10, 1861 ;

Mr. Jemison, a bill to abolish the county of Winston, and for other purposes ;

All of which were severally read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Clarke, a bill to organize the militia of the State, and to organize a military force for patrol or police duty ;

Mr. Reavis, a bill to suspend the operation of the existing militia laws of this State, and to reconstruct the militia system ;

Both of which was read twice, under a suspension of the constitutional rule, laid upon the table, and 100 copies of each ordered to be printed.

A message from the House of Representatives by Mr. Eason :

HOUSE OF REPRESENTATIVES, }
November 21, 1862. }

Mr. President :

The House has adopted the Senate joint resolutions in relation to the war debt of the Confederate States ;

Has passed the Senate bill to amend the charter of the Eufaula Home Insurance Company ;

Has amended the amendment of the Senate to the House bill to prohibit the distillation of grain in the State of Alabama ;

And as amended, has concurred in the Senate amendment ;

Has also originated and passed bills to incorporate the Selma Iron Foundry Company ;

To repeal in part an act approved Feb. 11, 1854, constituting Seaborn N. Harvill, and Samuel B. Harvill, liners, &c.;

To authorize a compilation of the revenue laws, and their publication in pamphlet form ;

In relation to the allowance of extra compensation to the judges of probate in the several counties of the State of Alabama ;

To amend an act to authorize the Confederate States to purchase and hold in Alabama a site for a rolling mill, foundry, &c., for the manufacture of ordnance, &c., approved Nov. 17, 1862 ;

And has adopted joint resolutions for the relief of J. A. M. Thompson, of Choctaw county.

On motion, the House bill to amend an act to authorize the Confederate States to purchase and hold, in Alabama, a site for rolling mills, foundry, &c., for the manufacture of ordnance, &c., Nov. 17, 1862, was taken up.

The constitutional rule being suspended, the bill was read three times and passed.

Mr. Brewer, from the Committee on Enrolled Bills, reported as correctly enrolled, the following bills :

To repeal in part an act to regulate the agencies of insurance companies not incorporated by the State of Alabama, approved Feb. 24, 1860, so far as it relates to life insurance companies incorporated by any of the Confederate States, that do not take fire, river or marine risks ;

To amend the charter of the Ala. & Tenn. Rivers R. R. Co., the Ala. & Miss. R. R. Co., the Selma and Gulf R. R. Co., and the Western R. R. Co. ;

For the relief of Wm. R. Mason, register in chancery for the 13th district middle chancery division ;

To detach Macon county from the middle and attach it to the southern chancery division, and to detach Sumter county from the southern and attach it to the middle chancery division.

Mr. Jewett, from the Judiciary Committee, reported fa-

vorably to the House bill to authorize executors and administrators to administer oaths in certain cases.

Under a suspension of the constitutional rule, the bill was read a third time and passed.

Mr. Cato, from the same committee, reported favorably to the bill to authorize the Secretary of State to employ a clerk.

The bill, under a suspension of the constitutional rule, was read a third time, when,

On motion of Mr. Ligon, its further consideration was postponed until Tuesday next.

Mr. Clarke, from the same committee, reported adversely to the House bill to repeal an act relating to the fees of notaries public in the city of Mobile.

The report was concurred in.

Mr. Moren, from select committee, reported favorably to the House bill for the benefit of the hospitals established in Richmond, Va., for sick and wounded soldiers from Alabama;

Also, for the benefit of the military aid society of Mobile, and for other purposes, with the following amendments:

Amend the 1st section by striking out "50" and inserting "30."

Strike out the 2d and 3d sections.

Mr. Cato moved to lay the bill and report on the table;

Which was lost—yeas 4, nays 16.

Yeas—Messrs. Brewer, Cato, Harrison and Heflin—4.

Nays—Messrs. President, Barnes, Clarke, Crump, Davis, Groce, Hill, Jemison, Jewett, Ligon, Lewis, Moren, Reavis, Rice of Montgomery, Stone, Walker—16.

Mr. Stone moved to lay the report upon the table;

Which was lost—yeas 8, nays 14.

Yeas—Messrs. Brewer, Coleman, Crump, Heflin, Hill, Reavis, Stone, Walker—8.

Nays—Messrs. President, Barnes, Cato, Clarke, Davis, Groce, Harrison, Jemison, Jewett, Ligon, Lewis, Moren, Morgan, Rice of Montgomery—14.

Mr. Cato moved to amend the 1st amendment reported by the committee, as follows:

Insert "20" in place of "30".

On motion by Mr. Jemison, the amendment was laid upon the table—yeas 16, nays 7.

Yeas—Messrs. President, Barnes, Clarke, Coleman, Crump, Groce, Hill, Jemison, Jewett, Ligon, Moren, Morgan, McIntyre, Reavis, Stone and Walker—16.

Nays—Messrs. Brewer, Cato, Davis, Harrison, Heflin, Lewis, Rice of Montgomery—7.

The question was taken on striking out "50";

Which was carried—yeas 19, nays 4.

Yeas—Messrs. President, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Moren, Morgan, Rice of Montgomery, Walker—19.

Nays—Messrs. Barnes, McIntyre, Reavis, Stone—4.

The question was then taken on inserting "30";

Which was carried—yeas 19, nays 4.

Yeas—Messrs. President, Barnes, Clarke, Coleman, Crump, Davis, Groce, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Moren, Morgan, McIntyre, Reavis, Stone and Walker—19.

Nays—Messrs. Brewer, Cato, Harrison, Rice of Montgomery—4.

Mr. Brewer moved to lay the amendments striking out the 2d and 3d sections, on the table;

Which was lost.

Yeas—Messrs. President, Brewer, Coleman, Crump, Heflin, Hill, Lewis, McIntyre, Reavis, Rice of Montgomery, Stone—11.

Nays—Messrs. Barnes, Cato, Clarke, Davis, Groce, Harrison, Jemison, Jewett, Ligon, Moren, Morgan, Walker—12.

The question then recurring upon the adoption of the amendments, a division was called for.

The question was first taken upon striking out the 2d section.

Mr. Cato moved to postpone the further consideration of the bill and report until Wednesday next, at 12 o'clock;

Which was lost—yeas 7, nays 16.

Yeas—Messrs. Barnes, Brewer, Cato, Harrison, Heflin, Lewis, Rice of Montgomery—7.

Nays—Messrs. President, Clarke, Coleman, Crump, Davis, Groce, Hill, Jemison, Jewett, Ligon, Moren, Morgan, McIntyre, Reavis, Stone, Walker—16.

The amendment was adopted.

The question then recurred on striking out the 3d section;

Which was lost—yeas 9, nays 12.

Yeas—Messrs. Barnes, Cato, Clarke, Davis, Groce, Harrison, Lewis, Moren, Morgan—9.

Nays—Messrs. President, Brewer, Coleman, Crump, Heflin, Hill, Jemison, Jewett, Reavis, Rice of Montgomery, Stone, Walker—12.

The bill was then read a third time, under a suspension of the constitutional rule, and passed—yeas 14, nays 5.

Yeas—Messrs. President, Barnes, Coleman, Crump, Davis, Groce, Heflin, Hill, Jemison, Jewett, Ligon, Rice of Montgomery, Stone, Walker—14.

Nays—Messrs. Cato, Clarke, Harrison, Moren, Morgan—5.

The special order, it being the bill to authorize the sale of public lands heretofore temporarily withdrawn from market, was suspended to allow the committee to report.

Mr. Cato, from the Judiciary Committee, reported to the bill to prevent the making of cotton, &c.

On motion by Mr. Clarke, the bill and report were laid upon the table.

Mr. Reavis, from the Judiciary Committee, reported favorably to the bill to amend section 3150 of the code.

Mr. Rice, of Montgomery, from the Military Committee, reported favorably to the bill making appropriations for the military defense of Alabama;

Also, from the Judiciary Committee, reported favorably to the bill to amend section 3143 of the code;

All of which were severally read a third time, under a suspension of the constitutional rule, and passed.

Mr. Clarke, from the Military Committee, reported favorably to the House bill to provide for the discovery of lead in Alabama;

Also, from the Committee on Corporations, reported favorably to the House bill to incorporate the Southern Express Company;

Both of which were read a third time, under a suspension of the constitutional rule, and passed.

Mr. Harrison, from the Select Committee, to whom was referred a bill to authorize a suitable person to examine matters relating to the Auditor's office and Quartermaster's department, reported a substitute therefor.

The substitute was adopted, and the bill read a third time, under a suspension of the constitutional rule, and passed.

The caption was amended so as to read as follows:

To provide for the appointment of commissioners to examine the offices and accounts of certain public officers.

Mr. Barnes, from the Judiciary Committee, reported favorably to the bill for the relief of Louisa Ann and Wm. W. Davis, with an amendment as follows:

Provided, That said land warrant shall be valued in its location, at the minimum price the land upon which it is

proposed to be located is subject to entry and sale at the time the same is offered for location.

The amendment was adopted.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Morgan, from the Committee on Accounts and Claims, reported favorably to the House bill for the relief of White, Pfister & Co., with the following amendment:

Strike out \$348 00 where it occurs, and insert \$186 35.

The amendment was adopted, the bill read a third time under a suspension of the constitutional rule, and passed.

Mr. Groce moved to reconsider the vote by which the Senate postponed until Tuesday next the bill to authorize the Secretary of State to employ a clerk;

Which was lost.

Mr. Reavis moved to reconsider the vote by which the Senate concurred in the adverse report to the House bill to define the duties and obligations of common carriers.

Mr. Rice moved to lay the motion on the table;

Which was lost—yeas 11, nays 12.

Yeas—Messrs. President, Barnes, Clarke, Coleman, Groce, Hill, Jewett, Ligon, Lewis, Rice of Montgomery, Walker—11.

Nays—Messrs. Brewer, Cato, Crump, Davis, Harrison, Heflin, Jemison, Moren, Morgan, McIntyre, Reavis, Stone—12.

Mr. Brewer moved to adjourn until 3½ o'clock, p. m.

Mr. Jemison moved to adjourn until 10 o'clock, Monday morning.

The longest time having precedence, the question was first taken on the motion of Mr. Jemison, and lost—yeas 5, nays 15.

Yeas—Messrs. President, Coleman, McIntyre, Rice of Montgomery, Walker—5.

Nays—Messrs. Cato, Clarke, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Jewett, Ligon, Lewis, Morgan, Reavis, Stone—15.

The question was then taken on the motion of Mr. Brewer; Which was lost.

Mr. Rice moved to postpone the further consideration of the motion until Wednesday next.

Pending the consideration of which the Senate adjourned until 15 minutes to 10 o'clock, Monday morning.

DECEMBER 1, 1862.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Crump, Senator from Blount and St. Clair.

By leave, the following bills were introduced :

Mr. Reavis, a bill to regulate the sale and exportation of corn ;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on the Judiciary.

Mr. Morgan, a bill to change the boundry line between the counties of Jefferson and Shelby.

The bill was read three times, under a suspension of the constitutional rule, and passed—yeas 22, nays 0.

Yeas—Messrs. President, Barpes, Brewer, Cato, Coleman, Clarke, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Ligon, Lewis, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Stone, Walker—22.

Nays—0.

Mr. Rice, of Montgomery, a bill to protect the people against the evil consequences of small pox by requiring vaccination of all persons not already vaccinated.

The bill was read twice, under a suspension of the constitutional rule, and referred to a Select Committee, composed of Messrs. Groce, Rice of Montgomery, Ligon.

Mr. Coleman offered the following resolution, which was adopted :

Whereas, the hour of 12 m., this day, has been set apart by the ladies of this city to offer up their prayers for an honorable peace, and the speedy independence of the Confederate States, be it therefore

Resolved, That at that hour the Senate will pause in the business of legislation to unite in prayer, that the petition of these fair friends of peace and liberty may be heard.

A message was received from the Governor by his Private Secretary, Mr. Taylor, announcing his approval of the following bills :

To detach Macon county from the middle and attach it to the southern chancery division, and to detach Sumter county from the southern and attach it to the middle chancery division ;

To repeal in part an act to regulate the agencies of Insurance Companies not incorporated by the State of Alabama, approved Feb. 24, 1860, so far as it relates to life insurance

companies incorporated by any of the Confederate States, which do not take fire, river or marine risks;

To amend the charters of the Ala. & Tenn. Rivers R. R. Co., the Ala. & Miss. R. R. Co., the Selma & Gulf R. R. Co., and the Western R. R. Co.

Mr. Jemison, from the Committee on Finance and Taxation, reported favorably to the House bill for the relief of John P. Gates, tax collector for Pickens county;

The bill was read a third time, under a suspension of the constitutional rule, and passed—yeas 22, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Lewis, Ligon, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Stone, Walker—22.

Also, from same committee, reported favorably to the House bill for the relief of John C. Burgess, late tax collector of Coosa county for the years 1845 and 1846, and his securities, with the following amendments:

After the word “against” insert the words “A. J. Thomas, one of the sureties of” before the word “John,” and after the word “principal” insert “interest.”

The amendments were adopted, the bill read a third time, under a suspension of the constitutional rule, and passed—yeas 22, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Coleman, Clarke, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Ligon, Lewis, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Stone, Walker—22.

The caption was amended so as to read:

A bill for the relief of the securities of John C. Burgess, late tax collector of Coosa county for the years 1845 and 1846.

Mr. Jemison, from same committee, reported favorably to the House bill to repeal the tax on county seals in certain cases;

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Rice, of Montgomery, moved to reconsider the vote by which the Senate on yesterday passed the House bill to incorporate the Southern Express Company.

On motion by Mr. Jemison the motion was laid on the table—yeas 18, nays 4.

Yeas—Messrs. President, Barnes, Cato, Clarke, Coleman, Crump, Davis, Groce, Heflin, Hill, Jemison, Ligon, Lewis, Mathews, Moren, Morgan, Reavis, Stone—18.

Nays—Messrs. Brewer, Harrison, Rice of Montgomery, Walker—4.

Mr. Jemison, from committee on Finance and Taxation, asked leave to return to the Senate the bill for the relief of the probate judges of this State;

Which was granted, and the committee discharged from its further consideration.

Mr. Jemison, from same committee, reported adversely to the bill to repeal the 2d section of an act to raise revenue from crops loaned and other property, approved Dec. 10th, 1861.

Mr. Barnes moved to lay the report on the table;

Which was lost—yeas 11, nays 11.

Yeas—Messrs. Barnes, Clarke, Coleman, Davis, Harrison, Heflin, Hill, Lewis, Moren, Stone, Walker—11.

Nays—Messrs. President, Brewer, Cato, Crump, Groce, Jemison, Ligon, Mathews, Morgan, Reavis, Rice of Montgomery—11.

The report was concurred in—yeas 13, nays 9.

Yeas—Messrs. President, Brewer, Cato, Clarke, Crump, Groce, Jemison, Ligon, Mathews, Morgan, Reavis, Rice of Montgomery, Walker—13.

Nays—Messrs. Barnes, Coleman, Davis, Harrison, Heflin, Hill, Lewis, Moren, Stone—9.

Mr. Rice, of Montgomery, from the committee of conference appointed by the two Houses in relation to the disagreement between the two Houses upon the House bill to amend an act to authorize the issuance of Treasury note change bills by the State of Alabama, reported as follows: That the committee have amended the amendments of the Senate as follows:

1st. By striking therefrom the words "proper to be caused to be issued," and by inserting in lieu of these words the following words "necessary for change circulation."

2d. By striking out of said amendment of the Senate the word "five" and inserting in lieu thereof the words "three and a half."

The committee of conference recommend the adoption of said amendments and the passage of the bill as thus amended.

SAM'L F. RICE,
Chairman of Senate Committee.

W. M. SMITH,
Chairman of House Committee.

The report was concurred in.

Mr. Barnes, from the Judiciary Committee, reported favorably to the bill to suspend during the war the statute of non claims in certain cases;

The bill was read a third time, under a suspension of the constitutional rule, and passed.

The caption was amended by adding to it the words "and for other purposes."

Mr. Rice, of Montgomery, from same committee, reported favorably to the bill to abolish Winston county and for other purposes ;

The bill was read a third time, under a suspension of the constitutional rule, and passed—yeas 21, nays 1.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Ligon, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—21.

Nays—Mr. Moren—1.

Also, from same committee, reported adversely to the bill to repeal the 19th section of an act to regulate judicial proceedings, approved Dec. 10, 1861 ;

The report was concurred in.

The hour of 12 o'clock having arrived, in accordance with the resolution adopted this morning, the Senate paused in its proceedings, when prayer was offered up by Rev. Mr. Mathews, senator from Tallapoosa, and the Senate took a recess for 15 minutes.

Fifteen minutes having elapsed, the Senate was called to order by the President and resumed its business.

Mr. Walker, from same committee reported favorably to the bill to authorize the State of Alabama to sue in the county of Montgomery, or in the county of the residence of the defendant, with a proviso to come in at the end of the section ;

The proviso was adopted, the bill read a third time under a suspension of the constitutional rule, and passed.

The Senate proceeded to the consideration of the special order, it being the House bill to amend an act supplementary to two several acts in relation to salt, approved Dec. 7th, 1861, and the several acts to which it is supplemental, and for other purposes ;

The question being on the adoption of the substitute reported by the committee, pending the consideration of which, Senate adjourned until this afternoon, 3½ o'clock.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

A message from the House of Representatives by Mr. Eason:

HOUSE OF REPRESENTATIVES

Mr. President:

The House of Representatives has originated and passed the following bills:

To provide compensation for certain services rendered in criminal cases;

To amend subdivision 4 of section 2318 of the Code of Alabama relating to the procuring of testimony by deposition;

To legalize the acts of the commissioners' court of Morgan county;

For the relief of Burrell Johnson, tax collector of Perry county;

To amend an act to authorize the issuance of Treasury note change bills by the State of Alabama;

To authorize the Governor to do certain things therein named;

To amend an act to require the commissioner of public lands to issue a patent to Martha Carroll, of Calhoun county, approved Dec. 9, 1861.

The House of Representatives has passed the following Senate bills:

For the relief James Meharg late tax collector of Calhoun county, and his sureties;

To amend an act to incorporate the South Alabama Manufacturing Company, approved Feb. 24, 1860;

And has amended and as amended passed the bill to compensate Dr. M. G. Moore for services as Warden of the Penitentiary for the present year.

The House insists on the 3d and 7th and recedes from the 5th amendment of the bill to provide for the re-organization of the State Penitentiary;

And concurs in the Senate amendments to the House bill in relation to the estate of Lewis L. Langdon;

And has originated and passed bills—

To authorize the transfer of certain funds heretofore raised for special purposes, to the general fund of the State Treasury;

To authorize the Governor to lease for a period of not ex-

ceeding ten years, to the Confederate Government, a certain portion of the saline reserves.

ALEX. B. CLITHERALL, Clerk.

Mr. Brewer, from Committee on Enrolled Bills, reported as correctly enrolled the following bills:

To establish a Bank in the town of Opelika, to be called the Exchange Bank of Alabama;

To amend the charter of the Eufaula Home Insurance Company;

To amend an act to incorporate the South Alabama Manufacturing Company, approved Feb. 24, 1860;

For the relief of James Meharg, late tax collector of Calhoun county, and his securities;

Joint resolutions in relation to the war debt of the Confederate States.

The Senate resumed the consideration of the bill under discussion at adjournment, to-wit:

The bill to amend an act supplemental to two several acts in relation to salt, approved Dec. 7, 1861, and the several acts to which it is supplemental, and for other purposes.

On motion by Mr. Rice, of Montgomery, the further consideration of the bill and report was postponed until tomorrow 11 o'clock, and made the special order for that hour.

By leave Mr. Brewer introduced a bill to amend section 88 of the code;

Which was read twice, under a suspension of the constitutional rule, and referred to the Committee on Public Printing.

The Senate proceeded to the consideration of the House messages.

The Senate concurred in the amendments of the House to the amendments made by the Senate to the House bill to prohibit the distillation of grain in the State of Alabama, except under the direction and authority of the Governor.

The Senate insisted on its disagreement to the 5th amendment of the House to the bill to provide for the reorganization of the State Penitentiary.

Mr. Rice moved to insist on the disagreement to the 7th amendment;

Which was lost—yeas 11 nays 11.

Nays—Messrs. Barnes, Brewer, Coleman, Crump, Groce, Heflin, Ligon, Lewis, Mathews, Rice of Montgomery, and Walker—11.

Nays—Messrs. President, Cato, Clarke, Davis, Harrison, Hill, Jemison, Moren, Morgan, Reavis, Stone—11.

The Senate receded from its disagreement to the seventh amendment thereto, and appointed Messrs. Rice, Barnes and Jemison a committee of conference upon the 5th amendment, and asked for a like committee on the part of the House—yeas 12, nays 10.

Yeas—Messrs. President, Cato, Clarke, Coleman, Davis, Harrison, Hill, Jemison, Moren, Morgan, Reavis and Stone—12.

Nays—Messrs. Barnes, Brewer, Crump, Groce, Heflin, Ligon, Lewis, Mathews, Rice of Montgomery, Walker—10.

The Senate disagreed to the House amendment to the bill to compensate Dr. M. G. Moore for services as Warden of the Penitentiary for the present year.

The House bill to incorporate the Selma Iron Foundry Company ;

Was read twice, under a suspension of the constitutional rule, and referred to the Committee on Corporations.

The House bills—

To provide compensation for certain services rendered in criminal cases ;

To require the commissioner of public lands to issue a patent to Martha Carroll, of Calhoun county, approved Dec. 9, 1861 ;

Were severally read twice under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bill to authorize the Governor to lease for a period not exceeding ten years, to the Confederate Government, a certain portion of the saline reserves ;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on Salt Supply.

The House bills—

In relation to the allowance of extra compensation to the judges of probate in the several counties of the State of Alabama ;

To authorize a compilation of the revenue laws and their publication in pamphlet form ;

For the relief of James A. M. Thompson, of Choctaw county ;

To legalize the acts of the commissioners' court of Morgan county ;

To amend subdivision 4 of section 2318 of the code relating to the procuring of testimony by deposition ;

To amend an act to authorize the issuance of Treasury note change bills by the State of Alabama;

To authorize the Governor to do certain things therein named;

Authorizing the transfer of certain funds heretofore raised for special purposes to the general fund of the State Treasury;

Were all severally read three times, under a suspension of the constitutional rule and passed.

The House bill to repeal in part an act approved Feb. 11, 1854, constituting Seaborn W. Harville and Samuel B. Harville, liners, &c.;

Was read three times, under a suspension of the constitutional rule, and passed unanimously.

The House bill for the relief of Burrell Johnston, tax collector of Perry county;

Was read three times, under a suspension of the constitutional rule, and passed—yeas 22, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Ligon, Lewis, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Stone, Walker—22.

The Senate adjourned until 9½ o'clock to-morrow morning.

DECEMBER 2, 1862.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Hill; senator from Lawrence, Winston and Walker.

Mr. Clarke, from committee on Corporations, reported favorably to the House bill to incorporate the Selma Iron Foundry Company;

Also, from same committee, reported favorably to the House bill to incorporate the Mobile & South Western R. R. Company;

Both of which were read a third time, under a suspension of the constitutional rule, and passed.

Mr. Rice, of Montgomery, from Judiciary Committee, reported adversely to the House bill to provide compensation for certain services in criminal cases;

The report was concurred in.

Mr. Cato, from same committee, reported a substitute for the House bill more effectually to suppress the circulation of shinplasters.

Mr. Ligon moved to amend the substitute as follows at the end of the first section :

Provided, That no one except the party issuing or interested in its issuing, shall be subject to the penalties of this act for circulating said shinplasters or small change bills before the 1st of April next.

On motion by Mr. Reavis, the bill, substitute and amendment were referred to a select committee of three.

The President appointed Messrs. Reavis, Cato and Clarke as the committee.

Mr. Heflin, from the committee on Propositions and Grievances, to whom was referred the petition of F. Duncan, reported that it was inexpedient to legislate upon the subject of the petition ;

The report was concurred in.

A message from the Governor by his Private Secretary, Mr. Taylor, was received, announcing his approval of the following bills :

For the relief of James Meharg, late tax collector of Calhoun county, and his securities ;

To amend the charter of the Eufaula Home Insurance Company ;

To amend an act to incorporate the South Alabama Manufacturing Company, approved Feb. 24, 1860 ;

To establish a Bank in the town of Opelika, Ala., to be called the Exchange Bank of Alabama ;

Joint resolutions in relation to the war debt of the Confederate States.

Mr. Cato, from the Judiciary Committee, reported adversely to the bill for the relief of John T. Milner & Co. ;

The consideration of which was suspended for the purpose of considering the special orders.

Message from the House by Mr. Eason :

HOUSE OF REPRESENTATIVES,

December 1862. }

Mr. President :

The House has originated and passed a bill to amend an act for the improvement of the bay and harbor of Mobile ;

And concurs in the 1st, and refuses to concur in the 2d amendment of the Senate to the House bill for the benefit of the hospitals established in Richmond, Va., for sick and wounded soldiers from Alabama ;

And also for the benefit of the Military Aid Society of Mobile, and for other purposes.

The House concurs in the report of the committee of conference on the bill to amend an act to authorize the issuance of treasury note change bills by the State of Alabama.

The hour of 10 o'clock having arrived, Mr. Ligon moved that the special order set for that hour, it being the bill to withdraw from sale the public lands of the State, be postponed, to allow reports from standing committees.

The motion was lost—yeas 10, nays 12.

Yeas—Messrs. President, Barnes, Brewer, Crump, Groce, Heflin, Ligon, Mathews, Rice of Montgomery, Walker—10.

Nays—Messrs. Cato, Clarke, Coleman, Davis, Harrison, Hill, Jemison, Lewis, Moren, Morgan, Reavis, Stone—12.

Mr. Groce moved to suspend, to allow him to make a report from the Select Committee;

Which was carried.

Mr. Groce, from the Select Committee, reported favorably to the bill to protect the people against the evil consequences of small pox, by requiring vaccination of all persons not already vaccinated, with an amendment by way of additional section, as section 4.

The amendment was adopted, the bill read a third time, under a suspension of the constitutional rule, and passed—yeas 12, nays 10.

Yeas—Messrs. Barnes, Cato, Coleman, Crump, Groce, Harrison, Hill, Ligon, Lewis, Mathews, Moren, Rice of Montgomery—12.

Nays—Messrs. President, Brewer, Clarke, Davis, Heflin, Jemison, Morgan, Reavis, Stone, Walker—10.

Upon a further suspension, Mr. Moren introduced a bill to require non-resident defendants to give security for costs in certain cases.

The constitutional rule was suspended, the bill read twice and referred to the Judiciary Committee.

The Senate proceeded to the consideration of the special order, the question pending being on the adoption of the amendment of Mr. Rice, of Montgomery, the amendment reported by the Committee to the 5th section.

The amendment was adopted.

The question was then taken on ordering the bill to a 3d reading on to-morrow;

Which was lost—yeas 8, nays 14.

Yeas—Messrs. Cato, Harrison, Ligon, McIntyre, Reavis, Rice of Montgomery, Stone, Walker—8.

Nays—Messrs. President, Barnes, Brewer, Clarke, Cole-

man, Crump, Davis, Groce, Heflin, Hill, Jemison, Lewis, Mathews, Moren—14.

The Senate proceeded to the consideration of the next special order, it being the House bill to amend an act supplemental to two several acts in relation to salt, approved Dec. 7, 1861, and the several acts to which it is supplemental, and for other purposes.

The question pending being on the adoption of the substitute reported by the Committee,

On motion by Mr. Rice, of Montgomery, the substitute was laid on the table, whereupon he offered a substitute for the bill.

Mr. Jemison moved to amend by inserting at the end of section 2, the following :

"The said lessee shall keep a correct account of all salt manufactured, and render monthly statements thereof to the Governor under oath ;

Which was adopted.

Mr. Clarke moved to amend section 3, by adding thereto the following proviso :

"Provided, That said lessee Figh shall not sublet any portion of the furnaces or machinery leased to him without the consent of the Governor";

Which was adopted.

Mr. Jemison moved to amend further by striking out the following words at the end of section 5 :

"Will cover cost of production and expenses," and insert in lieu thereof the words "he deems fair and just";

Which was adopted.

The substitute was adopted, the bill read a third time and passed.

Mr. Jemison, from the Committee on Finance and Taxation, reported favorably to the House bill to authorize the issue and sale of State bonds, with the following amendments:

1st. Strike out section 1, and insert a substitute therefor.

2d. Strike out sections 3 and 6, and insert a substitute for section 6.

3d. At the end of section 7, add the following words: "and when signed, numbered and registered, they shall before being put into circulation, be delivered to the Treasurer of the State, and charged on the books of his office as so much cash to be accounted for."

4th. In section 9, after the word "coupons," add the words "and to number, date, and fill up the Treasury notes."

The amendments were adopted, the bill read a third time and passed.

The caption was amended so as to read:

To authorize the issue of Treasury notes, and for other purposes.

Mr. Barnes, from the Judiciary Committee, reported a substitute for the bill to restrict the retailing of spirituous liquors, with the following title:

To restrict the retailing of spirituous liquors in certain places.

Mr. Jemison moved to amend the 1st section by way of substitute;

Which was adopted.

Also moved to strike out the first six lines of section 2d, to the word "any";

Which was adopted.

The substitute was adopted—yeas 16, nays 6.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Crump, Groce, Harrison, Hill, Jemison, Ligon, Mathews, Moren, Morgan, Reavis, Stone—16.

Nays—Messrs. Coleman, Davis, Heflin, Lewis, McIntyre, Rice of Montgomery—6.

The constitutional rule was suspended, the bill read a third and passed—yeas 15, nays 8.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Crump, Groce, Harrison, Hill, Jemison, Ligon, Mathews, Moren, Morgan, Reavis—15.

Nays—Messrs. Coleman, Davis, Heflin, Lewis, McIntyre, Rice of Montgomery, Walker—8.

The Senate adjourned until to-morrow morning, quarter to 10 o'clock.

DECEMBER 8, 1862.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Brewer, Senator from Coosa.

Mr. Coleman offered the following protest:

Mr. President:

I hereby enter my protest against a bill which passed the Alabama Senate on the 2d day of Dec., 1862, entitled "an act to restrict the sale of spirituous liquors in certain cases," for the following good reasons:

1st. For a legislative body to pass such laws, throwing such restraint around our soldiers without submitting to such restraints ourselves, places our soldiers in the light of

Prussian serfs, or British mercenaries, instead of self-controlling patriots who are fighting for liberty because they love it better than life.

2d. I oppose it because the father of this country and his cotemporary officers drank spirits themselves, and recommended its moderate use among the private soldiers.

3d. Because such laws are incompatible with the genius of a republican form of government, or a people who profess to have the power of self-control.

4th. Because such laws were first introduced into the legislative bodies of the United States, under the influence of a set of fanatical, hypocritical and pharasaical clergymen, whose God was money, and whose devil was spirits, (unless they had to drink it,) and whose Savoir was tetotalism and abolitionism.

5th. God's holy word does not forbid the temperate use of spirituous liquors, but condemns the excessive and immoderate use of all things.

A. J. COLEMAN,
Senator from Marion and Fayette.

By leave, Mr. Brewer introduced a bill to give to the probate judge or probate court of Antauga county jurisdiction over the estate of Thos. C. Daniel;

Mr. Rice, of Montgomery, a bill to incorporate the Chewach Lime Company;

Both of which were read three times, under a suspension of the constitutional rule, and passed.

Also, by Mr. Rice, of Montgomery, a bill to provide just compensation for the services of the State Treasury.

The bill was read three times, under a suspension of the constitutional rule, and passed—yeas 17, nays 2.

Yeas—Messrs. President, Barnes, Brewer, Clarke, Coleman, Groce, Heflin, Hill, Ligon, Lewis, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Stone, Walker—17.

Nays—Messrs. Crump, Davis—2.

The Senate resumed the consideration of the bill for the relief of John T. Milner & Co., which was postponed on yesterday for other business.

The question being upon concurring in the adverse report of the committee,

Mr. Rice, of Montgomery, moved to lay the adverse report upon the table;

Which was lost—yeas 6, nays 14.

Yeas—Messrs. Harrison, Lewis, Moren, Morgan, McIntyre, Rice of Montgomery—6.

Nays—Messrs. President, Brewer, Cato, Coleman, Crump, Davis, Groce, Heflin, Hill, Ligon, Mathews, Reavis, Stone, Walker—14.

The question was then taken on concurring in the report ;
Which was carried—yeas 14, nays 7.

Yeas—Messrs. President, Brewer, Clarke, Coleman, Crump, Davis, Groce, Heflin, Hill, Ligon, Mathews, Reavis, Stone, Walker—14.

Nays—Messrs. Barnes, Harrison, Lewis, Moren, Morgan, McIntyre, Rice of Montgomery—7.

A message from the House by Mr. Eason :

HOUSE OF REPRESENTATIVES.

Mr. President :

The House has originated and passed the following bills :

To enable the people of Alabama to procure necessary supplies of salt at reasonable prices, and for other purposes ;
In relation to the records of the courts of county commissioners ;

In relation to the pay of soldiers in the Confederate service ;

For the relief of Sarah C. Reese, guardian of Alice C. Reese ;

And has passed the following Senate bills :

To amend section 3143 of the code ;

To amend section 3150 of the code ;

To change the boundry line between the counties of Jefferson and Shelby.

The House refuses to recede from its 3d amendment to the Senate bill to provide for the re-organization of the State Penitentiary ;

And has appointed as the House committee of conference Messrs. Crumpler, Mabry and Griffin.

The House insists on its amendment to the Senate bill to compensate Dr. M. G. Moore, for services as warden of the penitentiary for the present year ;

And refuses to concur in the Senate amendments to the House bill for the relief of White, Pfister & Co. ;

And has amended as therein shown and passed, the Senate bill to legalize certain entries of land, approved Dec. 9, 1861 ;

And has also originated and passed bills—

To authorize the probate court of Macon county to grant

letters of administration on the estate of M. G. Jackson, late of Tallapoosa county;

For the relief of Irwin Windham of Madison county.

ALEX. B. CLITHERALL, Clerk.

Mr. Ligon, from the Judiciary Committee, reported adversely to the bill to require non-resident defendants to give security for costs in certain cases.

Mr. Reavis moved to lay the report on the table;

Which was lost.

The report was concurred in—yeas 12, nays 8.

Yeas—Messrs. Brewer, Clarke, Crump, Davis, Groce, Heflin, Hill, Ligon, Lewis, Mathews, Rice of Montgomery, Walker—12.

Nays—Messrs. President, Barnes, Coleman, Harrison, Moren, McIntyre, Reavis, Stone—8.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

To amend section 3150 of the code;

To amend section 3143 of the code;

For the relief of George W. Franklin and John Tyler Franklin, of Coosa county;

To change the boundary-line between the counties of Jefferson and Shelby.

Mr. Reavis, from the Judiciary Committee, reported favorably to the bill to regulate the sale and exportation of corn, with sundry amendments;

Which were adopted.

Mr. Brewer moved to amend the 1st section, as follows:

Strike out all after the word "license," in the 5th line from the bottom, to the word "which," in the 3d line from the bottom of said 1st section;

Which was lost.

Mr. Barnes moved to amend by additional section, as section 9.

Mr. Barnes moved to refer the bill and amendments to a Select Committee;

Which was lost.

The question was then taken on the adoption of the amendments offered by Mr. Barnes.

On motion by Mr. Reavis, the amendment was laid on the table.

The bill was read a third time, under a suspension of the constitutional rule, and passed.

The Senate proceeded to the consideration of the special

orders, the first in order being the bill to authorize the sale of public lands heretofore temporarily withdrawn from market.

On motion by Mr. Rice, of Montgomery, the bill was laid upon the table.

The next in order being the bill to authorize the Secretary of State to employ a clerk;

Was read a third time, under a suspension of the constitutional rule, and passed—yeas 14, nays 5.

Yeas.—Messrs. Barnes, Brewer, Cato, Coleman, Groce, Harrison, Heflin, Ligon, Mathews, Moren, Reavis, Rice of Montgomery, Stone, Walker—14.

Nays.—Messrs. President, Clarke, Davis, Hill, Morgan—5.

The Senate proceeded to the consideration of the House messages;

The first in order being the House bill for the benefit of the hospitals in Richmond, Va., for sick and wounded soldiers from Alabama, and also for the Military Aid Society of Mobile, and for other purposes.

The question being receding from the amendment made by the Senate, and in which the House refused to concur; pending the consideration of which

Mr. Rice, of Montgomery, moved to adjourn until 15 minutes to 10 o'clock to-morrow morning.

Mr. President (Mr. Clarke in the chair) moved to amend the motion by striking out 10, &c., and inserting half past 3 o'clock this afternoon.

The longest time having precedence, the question was first taken on Mr. Rice's motion;

Which was lost.

The question recurred on Mr. Calhoun's motion;

Which was put and carried.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

The Senate resumed the consideration of the House bill for the benefit of the hospitals established in Richmond, Virginia.

The Senate insisted on its 2d amendment, and appointed Messrs. Stone, Moren and Groce a committee of conference on the part of the Senate, and asked for a like committee on the part of the House.

Mr. Rice, of Montgomery, from committee of conference upon the disagreement between the two Houses upon the

bill to provide for the re-organization of the State Penitentiary, reported the following amendment:

Strike out of 6th section the words "four thousand" and insert in lieu thereof the words "thirty-seven hundred and fifty."

The report was concurred in.

Mr. Crump, from committee on Public Printing, reported favorably to the bill to amend section 88 of the code.

The Senate disagreed to the House amendment to the Senate bill to repeal an act to legalize certain entries of land, approved Dec. 9, 1861.

The Senate insisted on its amendment to the House bill for the relief of White, Pfister & Co.

The Senate insisted on its disagreement to the amendments of the House to the Senate bill to compensate Dr. M. G. Moore for services as Warden of the Penitentiary for the present year;

And appointed Messrs. Rice, Ligon and Hill a committee of conference on the part of the Senate, and asked for a like committee on the part of the House.

The House bill for the relief of Irwin Windham, of Madison county;

Was read twice, under a suspension of the constitutional rule, and laid on the table.

The House bill to enable the people of Alabama to procure necessary supplies of salt at reasonable prices, and for other purposes;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on Salt Supply.

The House bill to amend an act for the improvement of the bay and harbor of Mobile;

Was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House joint resolutions in relation to the pay of soldiers in the Confederate service;

Were referred to the committee on Military Affairs.

The House bills—

For the relief of Sarah C. Reese, guardian of Alice C. Reese;

To authorize the court of probate of Macon county to grant letters of administration upon the estate of Martin G. Jackson, late of Tallapoosa county;

In relation to the records of the courts of county commissioners;

Were severally read three times under a suspension of the constitutional rule, and passed.

Senate adjourned till 15 minutes to 10 o'clock, to-morrow morning.

DECEMBER 4, 1862.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Crump, senator from Blount and St. Clair.

Mr. President (Mr. Walker in the chair), a bill in relation to the Selma & Gulf R. R. Co., and the Broad Street Hotel Company of Selma;

Mr. Groce, a bill to provide just compensation for the comptroller;

* Both of which were read three times, under a suspension of the constitutional rule, and passed.

Mr. Walker, a bill supplemental to an act to amend the charters of the Ala. & Tenn. Rivers R. R. Co., the Ala. & Miss. R. R. Co., the Selma and Gulf R. R. Co., and the Western R. R. Co.;

Which was read three times, under a suspension of the constitutional rule, and passed.

Mr. Rice, of Montgomery, from the Judiciary Committee, reported favorably to the House bill to amend an act for the improvement of the bay and harbor of Mobile;

The bill was read a third time and passed.

Mr. Groce, from committee on Public Lands, reported favorably to the House bill for the extension of the time of settlement and cultivation of lands entered under the 36th section of the ordinance of the State of Alabama.

On motion by Mr. Rice, the bill was amended as follows: After the word "State," in the 4th line, insert the words "prior to the 8th day of November, 1861";

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Mr. Brewer, from same committee, reported as follows:

The committee on Public Lands, to which was referred the report of the commissioner of public lands, has had the same under consideration, and find therein recommended for confirmation by the Senate, the following persons:

J. J. Dillard, Register and Receiver in the Land Office at Huntsville;

Monroe Donoho, Register and Receiver in the Land Office at Tuscaloosa;

Thos. O. Glastock, Register and Receiver in the Land Office at Montgomery.

The committee recommend their confirmation.

The several nominations were confirmed.

Mr. Cato, from the Select Committee, reported a substitute for the House more effectually to suppress the circulation of shimplasters, entitled a bill to prevent the circulation of change bills.

Mr. Rice, of Montgomery, moved to strike out the 6th section of the substitute;

Which was carried.

The substitute was adopted, the bill read a third time, under a suspension of the constitutional rule, and passed.

Mr. Stone, from the Committee on Public Lands, reported favorably to the House bill to amend an act to require the commissioner of public lands to issue a patent to Martha Carroll, of Calhoun county, approved Dec. 9, 1861;

The bill was read a third time, under a suspension of the constitutional rule, and passed.

Also, from the same committee, to whom was referred a resolution in relation to consolidating certain land districts, reported a bill to consolidate certain land districts therein named.

The bill was read three times, under a suspension of the constitutional rule, and passed.

Mr. Cato, from the Judiciary Committee, reported adversely to the House bill to amend an act, approved Feb. 8, 1858, to fix the mode of conveying the estates of husband and wife.

The report was concurred in.

Mr. Reavis, from the Committee on Public Lands, reported adversely to the bill to regulate the pay of officers in the land office department.

The report was concurred in.

Mr. Clarke moved to add Mr. Barnes to the Select Committee on Extortion.

Which was carried.

On motion by Mr. Harrison, Mr. Ligon was added to the Committee on Finance and Taxation.

A message was received from the Governor by his private Secretary, announcing his approval of the following bills:

To amend section 3150 of the code;

To amend section 8148 of the code;

For the relief of George W. Franklin and John Tyler Franklin, of Coosa county;

To change the boundary line between the counties of Jefferson and Shelby.

A message from the House by Mr. Eason :

Mr. President :

The House concurs in the report of the Committee of Conference on the Senate bill to provide for the re-organization of the State Penitentiary.

On motion by Mr. Walker, the bill to organize the militia of the State, and to organize a military force for patrol or police duty, was taken from the table, and read section by section and postponed until to-morrow 11 o'clock.

On motion by Mr. Reavis, the bill partially to suspend the operation of the existing militia laws of this State, and to reconstruct the militia system, was read.

Mr. Barnes moved to amend by striking out the 1st and 2d sections, and all after the 8th section ;

And further moved to postpone the consideration of the bill and amendment until 11 o'clock to-morrow morning ;

Which motion was adopted.

The Senate then adjourned until this evening half-past 3 o'clock.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

A message from the House of Representatives by Mr. Eason :

HOUSE OF REPRESENTATIVES, }
December 21, 1862. }

Mr. President :

The House rejects the 1st and 2d amendments, and concurs in the 3d and 4th amendments of the Senate to the House bill to authorize the issue and sale of State bonds.

The House recedes from its disagreement to the Senate amendment to the House bill for the relief of White, Pfister & Co.

The House insists on its amendment to the Senate bill to repeal an act to legalize certain entries of land approved Dec. 9, 1861 ;

And has appointed Messrs. Langdon, Smith and Benner, as a committee of conference.

The House recedes from its amendment to the Senate bill

to compensate Dr. M. G. Moore, for services rendered as warden of the penitentiary for the present year.

ALEX. B. CLITHERALL, Clerk.

Mr. Jemison, from the Committee on Finance and Taxation, reported a substitute for the House bill to amend the revenue laws of this State, and asked leave to make a further report in continuation and perfection of the bill.

The Senate proceeded to consider the substitute, section by section.

Mr. Clarke moved to amend the 13th paragraph, section 1, by striking out the following words at the end: "which are exempt from execution," and inserting in lieu thereof the following: "property to the value of one thousand dollars";

Which was adopted.

Mr. Jemison moved to put in said blank, after the word "sixty," the words "except those in the military service of the Confederate States seventy-five cents";

Which was adopted.

Mr. Ligon moved to strike out sections 5 and 2, and insert as follows:

"On each slave under 5 years of age, — cents.

" " " between 5 and 10 years of age — cents.

" " " " 10 and 15 years of age " "

" " " " 15 and 30 years of age " "

" " " " 30 and 40 years of age " "

" " " " 40 and 50 years of age " "

" " " " 50 and 60 years of age " "

A division of the question was called for, the question in order being on striking out;

Pending which, on motion by Mr. Jemison,

Senate adjourned until to-morrow morning 9 o'clock.

DECEMBER 5, 1862.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mathews, Senator from Tallapoosa.

On motion by Mr. Brewer, the Senate reconsidered the vote by which on yesterday it confirmed the nomination of J. J. Dillard, as Register and Receiver of the land office at Huntsville.

On motion by Mr. Rice, of Montgomery, the nomination was laid upon the table.

Mr. Rice, of Montgomery, from the Judiciary Committee, reported favorably to the House bill to define the fees of the

justices of the peace and constables in the city of Montgomery, with the following amendments :

After the word "services," in the first section, insert the following: "in civil cases in the following particulars";

At the end of the 1st section, add the following: "all of which shall be taxed against the unsuccessful party in the suit in which the same may accrue";

Strike out the 3d section.

The amendments were adopted, the bill read a third time, under a suspension of the constitutional rule, and passed.

A message from the House of Representatives by Mr. Eason:

Mr. President:

The House of Representatives has originated and passed bills:

To further amend the Revenue laws of the State;

To authorize the court of county commissioners of Fayette and Morgan counties, to levy a tax on dogs;

To authorize the commissioners' court of Monroe county to levy a special tax;

To repeal an ordinance to provide for the military defense of the State of Alabama, adopted Jan. 9, 1861;

And has passed the following Senate bills:

To authorize the judge of probate of Mobile county to remove his official records to a place of safety, and for other purposes;

To suspend during the war the statute of non-claims in certain cases.

The House refuses to concur in the Senate amendments to House bills—

To amend an act supplemental to two several acts in relation to salt approved Dec. 7th, 1861, and the several acts to which it is supplemental, and for other purposes;

And rejects Senate amendments to the House bill more effectually to suppress the circulation of shinplasters.

The House insists on its disagreement to the Senate amendment striking out the 2d section of the House bill for the benefit of the hospitals established in Richmond, Va., for sick and wounded soldiers from Alabama; also for the benefit of the Military Aid Society of Mobile, and for other purposes;

And has appointed Messrs. Langdon, Lawler and Mason, a committee of conference.

Has amended as therein shown and passed, the Senate bill

to prevent the extortionate charges for freight and passage ;
Has also originated and passed bills :

To pay for the hire of servants for the General Assembly during the extra and present session ;

To render certain persons subject to militia service ;

For the relief of Wm. S. Green, tax collector of Conecuh county ;

For the relief of Moses Hornsby, tax collector of Tallapoosa county ;

Joint resolutions to authorize H. C. McCall to draw the per diem of N. L. Brooks, a member of this House.

The Senate resumed the consideration of the House bill to amend the revenue laws of the State ;

The question being on striking out the 5th paragraph of section 2, of the substitute ;

Which was carried—yeas 16, nays 5.

Yeas—Messrs. President, Cato, Clarke, Coleman, Davis, Groce, Harrison, Jémison, Ligon, Lewis, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Stone—16.

Nays—Messrs. Barnes, Brewer, Heflin, Hill, Walker—5.

The question recurred on the adoption of the amendment of Mr. Ligon, for which Mr. Jemison offered a substitute ;

Which, on motion by Mr. Rice, of Montgomery, was laid upon the table—yeas 12, nays 9.

Yeas—Messrs. President, Cato, Clarke, Coleman, Groce, Hammond, Ligon, Mathews, Moren, McIntyre, Reavis, Rice of Montgomery—12.

Nays—Messrs. Barnes, Brewer, Davis, Heflin, Hill, Lewis, Jemison, Stone, Walker—9.

The amendment was adopted.

The first blank was filled by inserting "50."

Mr. Jemison moved to fill the 2d blank with "100";

Which was lost.

Yeas—Messrs. Barnes, Brewer, Davis, Heflin, Hill, Jemison, Lewis, McIntyre, Stone—9:

Nays—Messrs. President, Cato, Clarke, Coleman, Groce, Harrison, Ligon, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Walker—13.

On motion by Mr. Calhoun, the blank was filled with "75"—yeas 15, nays 8.

Yeas—Messrs. President, Clarke, Crump, Davis, Harrison, Heflin, Hill, Lewis, Mathews, Morgan, McIntyre, Reavis, Rice of Montgomery, Stone, Walker—15.

Nays—Messrs. Barnes, Brewer, Cato, Coleman, Groce, Jemison, Ligon, Moren—8.

On motion by Mr. Calhoun, the 3d blank was filled by inserting "150"—yeas 18, nays 4.

Yeas—Messrs. President, Barnes, Brewer, Clarke, Crump, Coleman, Davis, Groce, Heflin, Hill, Jemison, Ligon, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—18.

Nays—Messrs. Cato, Harrison, Ligon, Moren—4.

On motion by Mr. Reavis, the 4th blank was filled by inserting "200";

Also, the 5th blank was filled by inserting "150";

Also, the 6th blank was filled by inserting "100";

Also, the 7th blank was filled by inserting "40."

Mr. Ligon moved to amend his amendment as follows:

"And on each slave working at any mechanical trade, or engaged in the business of tanning, \$2 50, or the manufacture of shoes, \$3 50.

Mr. Calhoun moved to amend the amendment by striking out, and inserting as follows:

"Mechanics and others of extra value actually engaged in their trade, or those who from unsoundness or disability are of less value than slaves of like age, shall be valued at whatever price the assessors from the best information to be obtained by them may adjudge them to be worth, and upon such valuation there shall be assessed a tax of one-fourth of one per cent.;

Which was carried.

Also moved to amend, to come in before the words in Mr. Ligon's original amendment on each slave, as follows:

"All slaves, except mechanics, cooks, seamstresses and barbers, or of some other trade, craft or occupation, which renders them of extra value, actually engaged in their trade, or those who from unsoundness or other disability are of less value than ordinary slaves of like age, shall be assessed as follows, viz:

Which was carried.

Mr. Barnes moved to amend by inserting after the word "mechanics" the words "tanners and shoemakers";

Which was adopted.

Mr. Ligon moved to amend by striking out the words "cooks, seamstresses and barbers";

Which was carried.

The amendment as amended was adopted.

Mr. Jemison moved to amend the 14th paragraph of section 2, as follows: After the word "ornaments," insert the words "whether kept for use, sale or otherwise";

Which was adopted.

Mr. Brewer moved to amend 7th paragraph of section 2, by striking out the word "thirty" before the word "cents," in the last line, and inserting "twenty-five";

Which was lost.

Mr. Groce moved to amend paragraph 17, section 2, by adding thereto the following: "on all other horses and mules, not otherwise taxed, except one work-horse or mule for the head of each family, one-fourth of one per cent. on valuation";

Mr. Brewer moved to amend the amendment by striking out from the word "except" to the word "family" inclusive.

Mr. Davis moved to lay both on the table;

Which was lost—yeas 10, nays 13.

Yeas—Messrs. Coleman, Crump, Davis, Harrison, Heflin, Jemison, Lewis, Reavis, Stone, Walker—10.

Nays—Messrs. President, Barnes, Brewer, Cato, Clarke, Groce, Hill, Ligon, Mathews, Moren, Morgan, McIntyre, Rice of Montgomery—13.

Mr. Rice, of Montgomery, moved to amend Mr. Groce's amendment: after the word "millers" insert the words "over three years old."

Mr. Barnes moved to lay both on the table.

A division of the question being called for, the question was first taken on laying Mr. Groce's amendment on the table;

Which was carried—yeas 14, nays 9.

Yeas—Messrs. President, Barnes, Cato, Coleman, Crump, Davis, Harrison, Heflin, Jemison, Ligon, Morgan, Reavis, Stone, Walker—14.

Nays—Messrs. Brewer, Clarke, Groce, Hill, Lewis, Mathews, Moren, McIntyre, Rice of Montgomery—9.

Mr. Reavis moved to amend 18th paragraph of same section by striking out the word "two," before the word "dollars," and inserting the word "five";

Which was carried.

Mr. Brewer moved to amend 19th paragraph of same section by inserting after the word "State," in the 2d line, the words "except railroads no part of which is in running order."

Mr. Walker moved to lay the amendment on the table;

Which was lost.

The amendment was adopted.

Mr. Reavis moved to amend section 5 by striking out the

words "an annual" before the word "tax," in the 11th line from the bottom, and insert the word "a";

Which was adopted.

On motion by Mr. Jemison, the blank in same line was filled with the word "fifteen."

Senate adjourned until this afternoon, 3½ o'clock.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

On motion by Mr. Rice, of Montgomery, the bill under consideration at adjournment was postponed, to allow him to introduce a bill to require the commissioner of public lands to compel parties claiming, under illegal entries, to test the validity of their entries in a court of justice.

The bill was read three times, under a suspension of the constitutional rule, and passed.

The Senate resumed the consideration of the bill to amend the revenue laws of the State.

Mr. Clarke moved to strike out section 8 ;

Which was lost—yeas 7, nays 15.

Yeas—Messrs. Brewer, Clarke, Groce, Heflin, Jemison, Ligon, Moren—7.

Nays—Messrs. President, Barnes, Cato, Coleman, Crump, Davis, Harrison, Hill, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—15.

Mr. Reavis moved to fill the blank in section 8, with the words "two and one-half"

Which was adopted—yeas 13, nays 9.

Yeas—Messrs. President, Barnes, Cato, Coleman, Crump, Hill, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—13.

Nays—Messrs. Brewer, Clarke, Davis, Groce, Harrison, Heflin, Jemison, Ligon, Moren—9.

Mr. Reavis moved to amend by inserting in the same section before the word "proviso" the following words: "or if the crop be ginned, then every pound of ginned cotton shall be estimated as equal to four pounds of seed cotton" ;

Which was adopted—yeas 15, nays 7.

Yeas—Messrs. President, Barnes, Cato, Coleman, Crump, Groce, Hill, Jemison, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—15.

Nays—Messrs. Brewer, Clarke, Davis, Harrison, Heflin, Ligon, Moren—7.

Mr. Rice moved to amend by striking out the words "three

thousand," where they occur in the same section, and insert "two thousand."

A division of the question being called for, the question was first taken on striking out ;

Which was carried—yeas 13, nays 9.

Yeas—Messrs. President, Barnes, Cato, Coleman, Crump, Hill, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—13.

Nays—Messrs. Brewer, Clarke, Davis, Groce, Harrison, Heflin, Jemison, Ligon, Moren—9.

Mr. Jemison moved to fill the blank with the words "twenty-five hundred."

The largest number having precedence, the question was first taken on Mr. Jemison's motion ;

Which was lost—yeas 10, nays 13.

Yeas—Messrs. Brewer, Clarke, Davis, Groce, Harrison, Heflin, Hill, Jemison, Ligon, Moren—10.

Nays—Messrs. President, Barnes, Cato, Coleman, Crump, Hill, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—13.

The question was then taken on the motion of Mr. Rice, of Montgomery, to fill the blank with the words "two thousand" ;

Which carried—yeas 16, nays 6.

Yeas—Messrs. President, Barnes, Brewer, Cato, Coleman, Crump, Groce, Hill, Jemison, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—16.

Nays—Messrs. Clarke, Davis, Harrison, Heflin, Ligon and Moren—6.

Mr. Reavis moved to amend the 9th section by inserting before the word "provided" the following : "or if the crop be ginned then every pound of ginned cotton shall be estimated as equal to four pounds of seed cotton" ;

Which was adopted.

Mr. Harrison moved to amend section 8 by adding thereto the following proviso :

"Provided, That this section shall not apply to cotton sold for less than 8 cents."

On motion by Mr. Reavis the amendment was laid on the table—yeas 16, nays 6.

Yeas—Messrs. President, Barnes, Brewer, Cato, Coleman, Crump, Davis, Groce, Hill, Lewis, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—16.

Nays—Messrs. Clarke, Harrison, Heflin, Jemison, Ligon, Moren—6.

Mr. Ligon moved to amend as follows :

Provided, That this act shall not apply to cotton made by the slaves of widows or orphan children.

On motion by Mr. Coleman the amendment was laid on the table.

Mr. Harrison moved to amend as follows :

Provided, That it shall not apply to the cotton raised by the hands of soldiers now in the army.

On motion by Mr. Rice, of Montgomery, the amendment was laid on the table—yeas 16, nays 5.

Yeas—Messrs. President, Barnes, Brewer, Cato, Coleman, Crump, Davis, Groce, Hill, Jemison, Mathews, Morgan, Reavis, Rice of Montgomery, Stone, Walker—16.

Nays—Messrs. Clarke, Harrison, Heflin, Ligon and Moren—5.

Mr. Jemison moved to amend section 4 by substituting for the last sentence, commencing at the word “and,” six lines from the end ;

Which was adopted.

Mr. Reavis moved to amend section 9 by striking out the word “three,” before the word “thousand” where it occurs, and inserting the word “two” ;

Which was adopted.

Mr. Clarke moved to strike out the words “two and one-half,” before the word “cents” in the same section, and insert the word “five.”

Mr. Morgan moved to insert the word “ten.”

The question was first taken on striking out ;

Which carried—yeas 16, nays 5.

Yeas—Messrs. President, Barnes, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Ligon, Mathews, Moren, Morgan, Stone—16.

Nays—Messrs. Brewer, Lewis, Reavis, Rice of Montgomery, Walker—5.

The question was taken on filling the blank with “ten” ;

Which carried—yeas 16, nays 6.

Yeas—Messrs. President, Barnes, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Ligon, Mathews, Morgan, Stone—16.

Nays—Messrs. Brewer, Lewis, Moren, Reavis, Rice of Montgomery, Walker—6.

Mr. Cato moved to lay the substitute on the table ;

Which was lost—yeas 7, nays 15.

Yeas—Messrs. Cato, Clarke, Heflin, Ligon, Moren, Morgan, Walker—7.

Nays—Messrs. President, Barnes, Brewer, Crump, Coleman, Davis, Groce, Harrison, Hill, Jemison, Lewis, Mathews, Reavis, Rice of Montgomery, Stone—15.

The substitute was adopted—yeas 14, nays 8.

Yeas—Messrs. President, Barnes, Brewer, Coleman, Crump, Davis, Groce, Harrison, Hill, Jemison; Lewis, Mathews, Reavis, Rice of Montgomery—14.

Nays—Messrs. Cato, Clarke, Heflin, Ligon, Moren, Morgan, Stone, Walker—8.

On motion by Mr. Jemison, the further consideration of the bill was suspended in order to consider the House messages.

The Senate postponed until 10 o'clock to-morrow the consideration of the bill to repeal an act to legalize certain entries of land as amended by the House.

The Senate insisted on its amendments to the House bill to authorize the issue and sale of State bonds, and Messrs. Jemison, Rice and Moren, were appointed a committee of conference, and asked a like committee on the part of the House.

The Senate insisted on its amendment to the House bill more effectually to suppress the circulation of shinplasters.

Messrs. Cato, Reavis and Barnes, were appointed a committee of conference, and a like committee asked on the part of the House.

The Senate insisted on its amendments to the House bill to amend an act supplemental to two several acts in relation to salt, &c.

Messrs. Reavis, Jemison and Rice were appointed a committee of conference on the part of the Senate, and a like committee asked on the part of the House.

The Senate agreed to the House amendments to the Senate bill to prevent the extortionate charges for freight and passage.

The House bill to pay for the hire of servants for the General Assembly during the present and extra session ;

Was read twice, under a suspension of the constitutional rule, and referred to the committee on Accounts and Claims.

The House bill further to amend the revenue laws of the State;

Was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bill to repeal an ordinance to provide for the military defense of the State of Alabama, adopted Jan. 19, 1861 ;

Was read twice under a suspension of the constitutional rule.

Mr. Reavis moved to lay the bill on the table;

Which was lost.

The bill was referred to the committee on Military Affairs.

The House bill for the relief of Moses Hornsby, tax collector of Tallapoosa county;

Was read three times, under a suspension of the constitutional rule, and passed—yeas 21, nays 0.

Yeas—Messrs. President, Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Heflin, Hill, Jemison, Lewis, Ligon, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Stone, Walker—21.

The House bills—

To render certain persons subject to militia service;

To authorize the commissioners' court of Monroe county to levy a special tax;

To authorize the courts of county commissioners of Fayette and Morgan counties to levy a tax on dogs;

For the relief of Wm. P. Green, tax collector of Conecuh county;

Also, joint resolutions to H. C. McCall to draw the per diem of N. L. Brooks, as member of this House;

Were severally read twice, under a suspension of the constitutional rule, and passed.

Mr. Brewer, from committee on Enrolled Bills, reported the following as correctly enrolled:

To authorize the probate judge of Mobile county to remove his official records to a place of safety, and for other purposes;

To compensate Dr. M. G. Moore for services as Warden of the Penitentiary for the present year;

To suspend during the war the statute of non-claim in certain cases.

The Senate adjourned until 9 $\frac{1}{2}$ o'clock to-morrow morning.

DECEMBER 6, 1862.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Hill, senator from Lawrence, Winston and Walker.

By leave Mr. Reavis offered joint resolutions in relation to making Confederate Treasury notes a legal tender in payment of debts;

Which were read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

Mr. Rice, of Montgomery, moved to take up the bill to repeal an act to legalize certain entries of land, approved Dec. 9, 1861, it being the special order for 10 o'clock to-day.

Mr. Rice moved to amend the amendment of the House by adding as follows:

And inasmuch as it is now understood that such entries embraced in part, if not in whole, "alternate reserved sections of public lands" along the line, or lines, of one or more of the railroads in this State, the prices of which, even as to persons residing on them, is specially fixed by the 25th section of the land ordinance at two dollars and fifty cents per acre; inasmuch as it is now further understood that such entries were permitted by the land officer at the St. Stephens land office to be made "free of all costs and charges"; inasmuch as it is known that the said act to legalize certain entries of land was not passed by a concurrence of two-thirds of the members elected to each House voting by "ayes and nays," and placed on the journals as required in the cases embraced by the 33d section of the 3d article of the Constitution of this State; inasmuch as the opinion of the Senate upon the facts as now understood is, that the said act, approved Dec. 9, 1861, and also the entries it purports to legalize, are invalid; and inasmuch as it is proper that the validity of said act and of said entries should be subjected to judicial test and decision before any patent issues, or upon any of such entries, the commissioner of public lands is hereby required not to issue any patent under or upon any entry which needs or seeks aid or sanction from said act of Dec. 9, 1861, until the validity of such entry has been judicially tried and established.

Mr. Clarke moved to lay the bill and amendments on the table;

Which was lost—yeas 6, nays 12.

Yeas—Messrs. Clarke, Harrison, Heflin, Jemison, Moren, Stone—6.

Nays—Messrs. President Barnes, Brewer, Cato, Coleman, Crump, Groce, Hill, Mathews, Morgan, Rice of Montgomery, Walker—12.

The amendment was adopted and the House amendment as amended was concurred in.

The Senate resumed the consideration of the bill to amend the revenue laws of the State.

Mr. Jemison moved to amend by additional sections from section 10 to section 23 inclusive.

Mr. Jemison moved to amend section 10 by adding thereto as follows:

And on all wages or salaries of persons who by reason of any engagement, appointment, or contract in any department of the Confederate Government are exempted from conscription, ten per cent. upon such wages or salary.

Mr. Brewer moved to amend the amendment by striking out the word "ten" before the words "per cent." and inserting "two and a half";

Which was lost.

Mr. Jemison's amendment was adopted—yeas 12, nays 7.

Yeas—Messrs. Barnes, Cato, Coleman, Crump, Groce, Harrison, Hill, Jemison, Ligon, Matigan, Reavis, Stone—12.

Nays—Messrs. Brewer, Clarke, Davis, Heflin, Mathews, Moren, Walker—7.

Mr. Ligon moved to amend section 10 by striking out all after the words "to wit," except the words "twenty-five per cent.";

On motion by Mr. Brewer the amendment was laid on the table.

The amendments were adopted.

Mr. Jemison moved to amend by additional section as section 24;

Which was adopted.

The substitute was adopted, the bill read a third time under a suspension of the constitutional rule and passed—yeas 12, nays 5.

Yeas—Messrs. President, Barnes, Brewer, Coleman, Crump, Davis, Groce, Harrison, Hill, Jemison, Mathews and Reavis—12.

Nays—Messrs. Clarke, Heflin, Moren, Morgan, Walker—5.

The special orders being the bills—

To re-organize the militia of the State and to organize a military force for patrol or police duty;

And partially to suspend the operations of the existing laws of this State, and to re-construct the militia system;

Were postponed until 3½ o'clock p. m.

A message from the House of Representatives by Mr. Eason:

HOUSE OF REPRESENTATIVES..

Mr. President :

The House has passed the Senate bills—

To amend section 88 of the code ;

In relation to the Selma & Gulf R. R. Co., and the Broad Street Hotel Co. of Selma ;

Supplemental and to amend an act to amend the charters of the Ala. & Tenn. Rivers R. R. Co., the Ala. & Miss. R. R. Co., the Selma and Gulf R. R. Co., and the Western R. R. Co., approved Nov. 28, 1862 ;

And has amended as therein shown and passed the Senate bill to increase the price of certain public lands belonging to the State of Alabama ;

And concurred in the amendment of the Senate to the House bill for the extension of the time of settlement and cultivation of lands entered under the 36th section of the ordinance of the Convention of the State of Alabama ;

And has originated and passed a bill to prevent extortion ;

And joint resolutions approving the payment of the Confederate war tax by the Governor.

ALEX. B. CLITHERALL, Clerk..

Mr. Brewer, from the Committee on Enrolled Bills, reported as correctly enrolled, the following bills :

To give to the probate judge or probate court of Autauga county jurisdiction over the estate of Thos. C. Daniel ;

To prevent the extortionate charges for freight and passage ;

An act supplemental and to amend an act to amend the charters of the Ala. & Tenn. Rivers R. R. Co., the Ala. & Miss. Rivers R. R. Co., the Selma & Gulf R. R. Co., and the Western R. R. Co., approved Nov. 28, 1862 ;

To amend section 88 of the code ;

In relation to the Selma and Gulf R. R. Company, and the Broad Street Hotel Company of Selma.

A message from the Governor by his Private Secretary, Mr. Taylor :

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

To authorize the judge of probate of Mobile county to move his official records to a place of security, and for other purposes ;

To compensate Dr. M. G. Moore for services as warden of the Penitentiary for the present year;

To suspend during the war the statute of non-claim in certain cases; *

To provide for the re-organization of the penitentiary.

Mr. Barnes, from Select Committee, to whom was referred bills—

To protect the citizens of the State against salt dealers;

To arrest extortion in articles of vital necessity;

To prevent extortion;

Reported in lieu of them a substitute, entitled—

A bill to prevent extortion and regulate the price of actual necessities of life.

Mr. Coleman moved to lay the substitute on the table.

Mr. Davis moved to suspend until 3½ o'clock, p. m., for the purpose of taking up messages from the House.

The motion of Mr. Davis having precedence, was first put; And lost.

The question was then taken on the motion of Mr. Coleman, and lost—yeas 6, nays 12.

Yeas—Messrs. Clarke, Coleman, Davis, Heflin, Morgan, Walker—6.

Nays—Messrs. President, Barnes, Brewer, Cato, Crump, Groce, Harrison, Ligon, Mathews, Moren, Reavis, Stone—12.

Mr. Calhoun moved to amend the 1st section by striking out the words "iron, twenty-five cents per pound, nails twenty-five cents per pound," and the word "five."

A division was called for, and the question was first taken on striking out the words "iron, twenty-five cents per pound, nails twenty-five cents per pound";

And carried.

The question then recurred on striking out the word "five";

Mr. Rice moved to insert "twelve" in lieu of "five."

Mr. President (Mr. Walker in the chair) moved to insert "ten."

Mr. Barnes moved to insert "eight."

Mr. Crump moved to insert "seven and a half."

Mr. Jemison moved to insert six."

The question was first taken on striking out "five";

Which was carried—yeas 12, nays 10.

Yeas—Messrs. President, Brewer, Clarke, Coleman, Davis, Groce, Harrison, Ligon, McIntyre, Rice of Montgomery, Stone, Walker—12.

Nays—Messrs. Barnes, Cato, Crump, Heflin, Hill, Jemison, Mathews, Moren, Morgan, Reavis—10.

The question then recurred on filling the blank.

The largest number having precedence, the question was first taken on the motion of Mr. Rice, of Montgomery;

And lost—yeas 4, nays 18.

Yeas—Messrs. Coleman, McIntyre, Rice of Montgomery, Stone—4.

Nays—Messrs. President, Barnes, Brewer, Cato, Clarke, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Ligon, Mathews, Moren, Morgan, Reavis, Walker—18.

The question was next taken on the motion of Mr. Calhoun, and lost.

The question was then taken on the motion of Mr. Barnes, to fill the blank with "eight";

And carried.

Senate adjourned until 3½ o'clock, p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

A message from the House by Mr. Clitherall:

Mr. President:

The House has originated and passed a bill to enable the corporate authorities of the city of Mobile to levy an additional tax on real estate for municipal purposes;

And has passed the Senate bills—

For the relief of Louisa Ann and Wm. W. Davis;

To provide for the appointment of commissioners to examine certain public offices;

And concurs in the amendment of the Senate to the House bill to define the fees of the justices of the peace and constables in the city of Montgomery;

And has appointed Messrs. B. B. Little, Starke and Langdon, a committee of conference on the House bill more effectually to suppress the circulation of shimplasters;

And has appointed Messrs. Lawler, Ashley and Mabry, a committee of conference on the House bill to authorize the issue and sale of State bonds;

And has appointed Messrs. Langdon, Crumpler and Walden, a committee of conference on the House bill supplemental to two several acts in relation to salt, &c.;

And refuses to concur in the Senate amendment to the

House amendment to the Senate bill to legalize certain entries of lands ;

And has refused to pass the Senate bill to authorize the State of Alabama to sue in the county of Montgomery, or in the county of the residence of the defendant ;

And refuses to pass the Senate bill to protect the people of Alabama against the evil consequences of small pox, &c.

The House also refuses to concur in the amendment of the Senate to the House bill to amend the revenue laws of the State ;

The House has also adopted the following resolution :

Whereas, the Senate on yesterday sent to this House a bill "to require the commissioner of public lands to compel parties claiming under illegal entries to test the validity of their entries in the courts of justice," which bill in its preamble contains expressions disrespectful to the House of Representatives, therefore be it

Resolved, That said bill be returned to the Senate without being considered by this House.

ALEX. B. CLITHERALL, Clerk.

A message from the Governor by his Private Secretary, Mr. Taylor :

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

An act to authorize the probate judge or probate court of Autauga county jurisdiction over the estate of Thomas C. Daniel ;

An act in relation to the Selma and Gulf R. R. Co., and the Broad Street Hotel Company of Selma ;

An act supplemental and to amend an act to amend the charters of the Ala. & Tenn. Rivers R. R. Co., the Ala. & Miss. Rivers R. R. Company, the Selma & Gulf R. R. Co., and the Western R. R. Co., approved Nov. 28th, 1862 ;

An act to amend section 88 of the code.

The Senate postponed until Monday, 11 o'clock, the special orders, being the bills—

Partially to suspend the operation of the existing militia laws of this State, and to reconstruct the militia system, and

To re-organize the militia of the State, and to organize a military force for patrol or police duty.

Mr. McIntyre, from the Committee on Privileges and Elections, reported favorably to the House bill to amend the law in relation to elections in certain cases.

The constitutional rule was suspended, and the bill read a third time and passed.

The Senate resumed the consideration of the bill pending at adjournment, to-wit:

The bill to prevent extortion and regulate the price of actual necessities of life.

Mr. McIntyre moved to amend by additional sections, as sections 4 and 5.

On motion by Mr. Reavis, the amendment was laid on the table—yeas 12, nays 6.

Yeas—Messrs. President, Barnes, Clarke, Davis, Groce, Harrison, Mathews, Moren, Morgan, Reavis, Rice of Montgomery, Walker—12.

Nays—Messrs. Cato, Coleman, Crump, Jemison, McIntyre, Stone—6.

Mr. Groce moved to amend by adding to the 1st section the following proviso:

“Provided, that nothing in this act shall effect the price of salt manufactured in this State, on contracts made prior to the passage of this act.

Mr. Reavis moved to amend by striking out all after the word “State.”

On motion by Mr. Clarke, Mr. Reavis’ amendment was laid on the table.

Mr. Jemison moved to amend by striking out all in section 1 in relation to “oats”;

Which was carried.

Also to strike out “one dollar and fifty cents.”

After the word “peas,” and insert “two dollars”;

Which was carried.

Also, put upper leather at one dollar, instead of one dollar and twenty-five cents”;

Also, put sole leather at 75 cents instead of one dollar;

Also, put cotton yarns or factory thread at fifty cents instead of 75 cents;

Also, put cotton shirting at twenty-five cents instead of thirty-five.

Mr. Rice, of Montgomery, moved to strike out all in relation to “salt”;

Which was lost.

The substitute was adopted.

Mr. Clarke moved to amend by adding to section 3, the following:

“Provided, the Governor by his proclamation may suspend the operation of this act as to all or any portion of the ar-

ticles herein set forth, whenever he thinks the interest of the people demands it";

Which was adopted.

On motion by Mr. Benners, the 'first blank in section 3 was filled with "five thousand," and the second blank with "five thousand."

The constitutional rule was suspended, and the bill read a third time and passed—yeas 15, nays 3.

Yeas—Messrs. President, Barnes, Clarke, Crump, Davis, Groce, Harrison, Heflin, Hill, Jemison, Mathews, Moren, Reavis, Stone, Walker—15.

Nays—Messrs. Coleman, Morgan, Rice of Montgomery—3.

Mr. Clarke, from the Select Committee, to whom was referred the House bill to enable the people of Alabama to procure necessary supplies of salt at reasonable prices, and for other purposes, reported favorably thereon with the following amendment:

Strike out all after the word "works," in 2d line of section 6, and insert the following:

"Or any portion thereof, and any other or any portion of the State salt works which the State may regain the possession of by the recision of any existing contract between said State and John P. Figh, as well as the salt lands belonging to said State, on such terms as the Governor may deem best for the interest of the State;"

The amendment was adopted.

Mr. Rice, of Montgomery, moved to strike out "two thousand" in the salary of the salt commissioner, and insert "three thousand";

Which was carried.

The constitutional rule was suspended, and the bill read a third time and passed.

The Senate insisted on its amendment to the House bill to amend the revenue laws of the State.

Messrs. Jemison, Barnes and Stone were appointed a committee of conference on the part of the Senate, and a like committee on the part of the House asked for.

The Senate bill to require the commissioner of public lands to compel parties claiming under illegal entries to test the validity of their entries in the courts of justice, which was ordered by the House to be returned to the Senate without being considered by the House because the preamble contains expressions disrespectful to the House, was read by its caption.

Mr. Rice, of Montgomery, offered the following in response to the resolution of the House accompanying the bill:

Whereas, the House of Representatives has this day returned to the Senate the bill passed by the Senate yesterday evening, to be entitled "an act to require the commissioner of public lands to compel parties claiming under illegal entries to test the validity of their claims in the courts of justice," and whereas the Senate is informed that the House construed some expressions in the preamble to said bill as "disrespectful to the House," and upon that ground ordered said bill to be returned "without being considered," the Senate hereby adopts the following as its response to the House on the aforesaid action of the House:

1st. The Senate regrets the injustice which the House has done to itself in construing any expression contained in said preamble as disrespectful to it, and in declining even to consider said bill.

2d. The opinion of the Senate is, that the people of this State have an interest in defeating entries of their land made contrary to law, and for which nothing whatever was paid by the persons making the entries, and that the entries embraced by said bill are of that character; and that duty to the people demanded that said bill should be passed, the sole object of which was not to defeat any legal claim to land, but to subject to judicial decision, not only the entries believed by the Senate to be illegal, but the act approved Dec. 9th, 1861, entitled an act to legalize certain entries of land, which act the Senate believed to have been passed in violation of the 33d section of the 3d article of the Constitution of this State.

3d. The Senate is further of opinion that it is not disrespectful for the Senate or the House, to present in plain language to each other its views and opinions in the form of a preamble and bill, and that disrespectful language used in the preamble may be good ground for striking out the preamble, but it is no excuse for refusing to consider whether the people have not an interest in the passage of the bill.

4th. The Senate is further of opinion that a discharge of duty to the people in considering every proposition presented, which concerns the interest or welfare of the people, is more becoming in a legislative body than an exhibition of resentful feelings for affronts, which are only imaginary.

5. The Senate is further of opinion that the course pursued by the House, as communicated to the Senate in re-

spect to said bill, is in violation of good usage and parliamentary law.

6. But notwithstanding all this, the Senate, profoundly impressed with the importance of unity of feeling and action amongst all classes, and all deliberative bodies in the Southern States to the successful conduct of the pending struggle for the independence of the Confederate States, continues ready and willing to co-operate with the House in all efforts to advance the welfare of our common country. If there has been, or is, a want of such unity of feeling and action between the two Houses of the present General Assembly, the Senate deplures it as a public calamity, and will make any reasonable concessions to secure it.

On motion by Mr. Rice, of Montgomery, the bill, House resolutions and the response were laid on the table.

The Senate concurred in the House amendments to the bill to increase the price of certain public lands in this State.

The Senate bill as amended by the House to repeal an act to legalize certain entries of land;

Was postponed until 12 o'clock Monday next.

The House bill to prevent extortion;

Was read twice, under a suspension of the constitutional rule, and referred to the Judiciary Committee.

The House bill to authorize the corporate authorities of the city of Mobile to levy an additional tax on real estate for municipal purposes;

And the House joint resolutions approving the payment of the Confederate war tax by the Governor;

Were severally read three times, under a suspension of the constitutional rule, and passed.

The Senate adjourned until Monday morning, quarter to 10 o'clock.

DECEMBER 8, 1862.

The Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Crump, senator from Blount and St. Clair.

Mr. President laid before the Senate a communication from N. L. Brooks, engineer of State salt works;

Which was referred to the committee on Salt Supply.

Mr. Groce, from committee on Public Lands, reported adversely to the House bill to amend an act to compensate receivers of public moneys at certain district land offices in

Alabama, and in relation to canceled entries, approved Dec. 10, 1861;

The report was concurred in and the bill lost.

Mr. Cato, from the Judiciary Committee reported favorably to the House bill to prevent extortion.

Mr. Clarke moved to amend by adding the following proviso to the end of the bill:

Provided, The Governor by his proclamation may suspend the operations of this act as to all or any portion of the articles herein set forth, whenever he thinks the interest of the people of the State demands it.

Which was adopted.

Mr. McIntyre moved to amend by striking out the word "court," in last line of section 2, and inserting "jury";

Which was lost.

The constitutional rule was suspended and the bill read a third time and passed.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
MONTGOMERY, ALABAMA, December 8th, 1862. }

Gentlemen of the Senate:

Under the provisions of the "act to provide for the re-organization of the State Penitentiary," approved Dec. 5th, 1862, I hereby nominate Merriwether G. Moore, for confirmation by the Senate, to the office of Warden of the Penitentiary.

I also hereby nominate, for confirmation by the Senate, to the office of Inspectors to the Penitentiary, Thos. Williams, L. P. Saxon, and A. C. Baker.

The Senate confirmed the several nominations.

Mr. Rice, from the Judiciary Committee, reported favorably to the House bill further to amend the revenue laws of the State, with the following amendments:

Strike out all after the 1st section except the enacting clause.

2d. Strike out enacting clause of section 2 and make it section 1.

3d. Add to the last section the following:

Provided, however, That none of the provisions of this act shall apply to any alien who may have been introduced since the 2d day of May, 1861, for the purpose of aiding in

the fulfilment or execution of any contract existing at the time of his introduction, between the Confederate States or this State, and any citizen or citizens of this State, nor to any alien introduced into this State, or into the Confederate States, by the Confederate States.

The amendments were adopted, and the bill read a third time and passed.

Mr. Clarke, from committee on Salt Supply, reported favorably to the House bill to authorize the Governor to lease for a period not exceeding ten years, to the Confederate Government, a certain portion of the saline reserves;

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Harrison, from the joint select committee to which was referred the report of John Whiting, Commissioner & Trustee for closing the business of the State Bank and Branches, reported that they had examined the accounts of said Commissioner, &c., and found them correct, and the vouchers to correspond with the statement contained in his report to the General Assembly.

EDM'D HARRISON,
Ch'm Senate Com.

A. G. MABRY,
Ch'm House Com.

Mr. Reavis, from committee on Public Lands, reported adversely to the bill to aid the Mobile & Great Northern R. R. Company;

The report was concurred in.

Also, from same committee, reported favorably, with amendments, to the bill to bring into market certain public lands in Baldwin county, in this State;

The amendments were adopted and the bill read a third time and passed.

Mr. Walker, from the committee on Military Affairs, to whom was referred the House bill to repeal an ordinance to provide for the military defense of the State of Alabama, adopted Jan. 19, 1861; reported favorably thereon with the following amendments:

1st. Strike out the 3d section;

2d. Also, by additional sections as sections 3, 4, 5 and 6;

The amendments were adopted and the bill read a third time and passed.

Mr. Rice, of Montgomery, from committee of conference on the bill to amend an act the more effectually to secure subordination among slaves by requiring the owner or over-

seer to reside with them, approved Feb. 5, 1856, reported that the committee had agreed to adopt a substitute for the bill and recommended the adoption of the same;

The report was concurred in.

Mr. Groce moved a call of the roll, and that Messrs. Jemison, Barnes and Stone, as they were absent on conference committee, be excused.

Upon the call of the roll the following senators were present:

Messrs. President, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Harrison, Heflin, Hill, Mathews, Moren, Reavis, Rice of Montgomery, Walker—16.

A message from the House of Representatives by Mr. Eason:

HOUSE OF REPRESENTATIVES, }
December 8, 1862. }

Mr. President:

The House disagrees to the 1st and concurs in the 2d amendment of the Senate to the House bill to enable the people of Alabama to procure necessary supplies of salt at reasonable prices, and for other purposes.

The House concurs in the report of the conference committee on the House bill to amend an act supplemental to two several acts in relation to salt, approved Dec. 7, 1861, and the several acts to which it is supplemental, and for other purposes;

And has originated and passed joint resolutions upon railroad transportation in the several States of the Confederacy;

And a bill to amend section 4002 of the code;

And passed the Senate bill to regulate the sale and exportation of corn.

ALEX. B. CLITHERALL, Clerk.

The Senate proceeded to the consideration of the special order, it being the bill to re-organize the militia of the State and to organize a military force for patrol duty.

Mr. Clarke moved to amend by striking out section 34 and inserting a substitute therefor;

Which was adopted.

Mr. Groce moved to amend the bill by striking out of section 34 "students," before the words "of the University";

Which was lost.

Also moved to insert after "University" the words "and

professors and teachers of all other colleges of the State, all ministers of the Gospel regularly engaged in ministerial duty”;

Which was adopted ;

The constitutional rule was suspended and the bill read a third time and passed—ordered to the House without being engrossed.

The bill partially to suspend the operations of the existing militia laws of this State, and to re-construct the militia system, which was the special order ;

Was laid on the table,

The Senate insisted on its amendment to the House amendment to the bill to repeal an act to legalize certain entries of land, approved Dec. 9, 1861 ;

And Messrs. Rice, Cato and Davis were appointed a committee of conference on the part of the Senate, and a like committee asked for on the part of the House.

Mr. Brewer, from committee on Enrolled Bills, reported the following as correctly enrolled :

For the relief of Louisa Ann and Wm. W. Davis ;

To increase the price of certain public lands belonging to the State of Alabama ;

To provide for the appointment of commissioners to examine the offices and accounts of certain public officers ;

To regulate the sale and exportation of corn.

Mr. Cato, from the committee of conference, to whom was referred the House bill as amended by the Senate by substitute, more effectually to suppress the circulation of shinpasters, reported that the committee had agreed to adopt the House bill with the following amendments :

1st. Strike out all in section 1 after the word “bill” ;

2d. Strike out all after the word “until,” in 5th section, and insert in lieu thereof the words “the 1st day of April next” ;

3d. Add an additional section as section 7 ;

4th. Change section 7 as section 8.

Mr. Rice, of Montgomery, moved to lay the bill and report on the table ;

Which was lost—yeas 8, nays 9.

Yeas—Messrs. President, Clarke, Coleman, Davis, Hill, Reavis, Rice of Montgomery, Walker—8.

Nays—Messrs. Brewer, Cato, Crump, Groce, Harrison, Heflin, Mathews, Moren, McIntyre—9.

On motion by Mr. Brewer the Senate adjourned until 3½ o'clock this afternoon—yeas 11, nays 7.

Yeas—Messrs. President, Brewer, Coleman, Crump, Davis, Groce, Heffin, Hill, Mathews, Moren, Morgan—11.

Nays—Messrs. Cato, Clarke, Harrison, McIntyre, Reavis, Rice of Montgomery, Walker—7.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

On motion by Mr. Rice, of Montgomery, a call of the Senate was made.

Present—Messrs. President, Brewer, Cato, Clarke, Coleman, Davis, Groce, Harrison, Hill, Ligon, Mathews, Moren, McIntyre, Reavis, Rice of Montgomery, Walker—16.

Messrs. Barnes, Jemison and Stone were excused as being engaged on committee of conference.

Ordered that absentees be sent for.

Messrs. Crump and Morgan having appeared within the Senate chamber, and a quorum being present,

The following message from the House was received :

Mr. President :

The House has passed the Senate bills—

To provide just compensation for the services of the Treasurer ;

To provide just compensation for the services of the Comptroller ;

And has amended and passed the Senate bills—

To authorize the Secretary of State to employ a clerk ;

Making appropriations for the military defense of Alabama ;

And has oriainated and passed bills—

For the relief of W. B. and A. R. Bell & Co ;

To provide just compensation for the private secretaries of the Governor ;

To supply record evidence in certain cases ;

To prevent salt being carried out of the State ;

To make appropriations for the fiscal year ending on the 30th Sept., 1863 ;

To authorize P. L. Hibbler and S. D. Sessums to administer on estate of W. H. Hibbler ;

Supplemental to an act to re-organize the State Penitentiary ;

Has rejected 1st and concurs in 2d amendment of Senate to House bill to further amend the revenue laws of this State ;

And concurs in amendment of the Senate to the House bill to prevent extortion;

And has amended the Senate bill to prevent the destruction by fire of property in the towns and villages of Jefferson and Shelby counties;

And has concurred in the amendment reported by the committee of conference to the bill to amend an act supplemental to two several acts in relation to salt, &c.;

Also concurred in the conference committee report to the bill to amend an act more effectually to secure subordination among slaves, &c.

The Senate resumed the consideration of the conference committee to the bill more effectually to suppress the circulation of shinplasters.

Mr. Rice, of Montgomery, moved to indefinitely postpone the further consideration of the report;

Which was lost—yeas 9, nays 10.

Yeas—Messrs. President, Brewer, Davis, Harrison, Morgan, Reavis, Rice of Montgomery, Stone, Walker—9.

Nays—Messrs. Barnes, Cato, Coleman, Crump, Groce, Hill, Ligon, Mathews, Moren, McIntyre—10.

Mr. Rice, of Montgomery, moved to postpone until 11½ c'clock p. m. to-morrow;

Which was lost—yeas 5, nays 14.

Yeas—Messrs. President, Brewer, Morgan, Rice of Montgomery, Walker—5.

Nays—Messrs. Barnes, Cato, Clarke, Crump, Davis, Groce, Harrison, Hill, Ligon, Mathews, Moren, McIntyre, Reavis, Stone—14.

Mr. Rice, of Montgomery, moved to suspend its further consideration to take up message from the House;

Which carried—yeas 10, nays 9.

Yeas—Messrs. President, Brewer, Clarke, Groce, Harrison, Ligon, Morgan, Reavis, Rice of Montgomery, and Walker—10.

Nays—Messrs. Barnes, Cato, Crump, Davis, Hill, Mathews, Moren, McIntyre, Stone—9.

Mr. Reavis to further suspend to allow reports to be made from committees of conference.

Mr. Reavis, from committee of conference, made the following report:

The conference committee to whom was referred the House bill to amend an act supplemental to two several acts in relation to salt, &c., and the Senate substitute for said bill,

have conferred together and agreed to adopt the substitute of the Senate with the following amendments thereto :

Strike out the word "half," where it first occurs in the 2d section, and insert in lieu thereof the words "two-thirds"; add to the 3d section the following proviso: "And provided further, That the Governor shall not permit any person to manufacture any salt upon any of the public salt lands without a contract or lease."

With these amendments the committee recommend the passage of the substitute.

T. REAVIS,
Ch'm Senate Com.
C. C. LANGDON,
Ch'n House Com.

The Senate refused to concur in the report of the committee—yeas 7, nays 13.

Yeas—Messrs. President, Barnes, Brewer, Groce, McIntyre, Reavis, Rice of Montgomery—7.

Nays—Messrs. Cato, Clarke, Crump, Davis, Harrison, Hill, Jemison, Ligon, Mathews, Moren, Morgan, Stone and Walker—13.

Mr. Cato moved that the House be informed of the disagreement of the Senate to the report, and that a further committee be appointed by the Senate and asked for from the House.

Mr. Rice, of Montgomery, made the point of order that the motion was unparliamentary.

The President decided that the motion was in order.

Mr. Rice, of Montgomery, appealed from the decision of the chair.

The question being, shall the decision of the chair be the decision of the Senate?

Was decided in the affirmative—yeas 17, nays 2.

Yeas—Messrs. Barnes, Cato, Clarke, Crump, Davis, Groce, Harrison, Hill, Jemison, Ligon, Mathews, Moren, Morgan, McIntyre, Reavis, Stone, Walker—17.

Nays—Messrs. Brewer and Rice—2.

The committee appointed on the part of the Senate consisted of Messrs. Cato, Reavis and Walker.

Mr. Stone, from the committee of conference upon the House bill, as amended by the Senate, for the benefit of the hospitals in Richmond, Va., for sick and wounded soldiers from Alabama, also for the benefit of the Military Aid Society of Mobile and for other purposes, reported the following amendments :

1st. In section 2 strike out "twenty-five" and insert "fifteen";

2d. By additional section as section 4;

3d. By additional section as section 5;

4th. The last section as section 6.

The Senate agreed to the report of the committee—yeas 14, nays 3.

Yeas—Messrs. President, Cato, Clarke, Crump, Davis, Groce, Hill, Ligon, Moren, Morgan, McIntyre, Reavis, Stone, Walker—14.

Nays—Messrs. Brewer, Harrison, Mathews—3.

Mr. Brewer moved to adjourn until to-morrow-morning 9 o'clock;

Which was lost.

The Senate adjourned until to-night 7½ o'clock.

NIGHT SESSION.

The Senate met pursuant to adjournment,

And proceeded to the consideration of the House messages.

The Senate concurred in the amendments of the House to the bills—

To authorize the Secretary of State to employ a clerk;

To prevent the destruction by fire of property in the towns and villages of the counties of Shelby, Jefferson and St. Clair.

Mr. Rice, of Montgomery, moved to disagree to the House amendment to the bill making appropriations for the military defense of the State.

The motion was lost.

Also moved to amend by adding to the amendment of the House, the following words: "or out of any money in the Treasury not otherwise appropriated."

The amendment was adopted, and the amendment as amended concurred in.

Mr. Barnes moved to lay on the table the bill further to amend the revenue laws of the State;

Which was lost—yeas 7, nays 10.

Yeas—Messrs. Barnes, Brewer, Clarke, Groce, Jemison, Reavis, Walker—7.

Nays—Messrs. President, Cato, Crump, Davis, Harrison, Hill, Ligon, Moren, Rice of Montgomery, Stone—10.

The Senate insisted on its amendment.

The Senate insisted on its amendment to the House bill

to enable the people of Alabama to procure necessary supplies of salt at reasonable prices, and for other purposes.

Messrs. Rice, Walker and Hill, were appointed a committee of conference on the part of the Senate, and a like committee asked for on the part of the House.

The House bills for the relief of H. P. Watson, Adjutant and Inspector General of the Militia;

And to make appropriations for the fiscal year ending the 30th day of Sept., 1863;

Were read twice, and referred to a Select Committee, composed of Messrs. Ligon, Moren and Barnes.

The House bills—

To authorize J. L. Hibbler and S. D. Sessums to administer on the estate of W. H. Hibbler;

Supplemental to an act to re-organize the State Penitentiary, approved Dec. 9, 1862.

To provide just compensation for the Secretaries of the Governor;

To prevent salt manufactured by any of the lessees of the public lands of this State from being sold to non-residents of the State;

To supply record evidence in certain cases;

To amend section 4003 of the code;

For the relief of W. B. & A. R. Bell & Co.;

Were severally read three times, under a suspension of the constitutional rule, and passed.

The joint resolutions upon railroad transportation in the several States in the Confederacy, were read.

Mr. Clarke moved to refer them to the Committee on Education;

Which motion was lost.

The resolutions were adopted.

A message was received from the House announcing that the House refuses to concur in the report of the committee of conference on the House bill for the benefit of the hospitals established in Richmond, Va., for sick and wounded soldiers from Alabama, also for the benefit of the Military Aid Society of Mobile, and for other purposes;

And asks for another committee of conference.

Messrs. Langdon, Benners and Pickett are the House committee.

Mr. Jemison, from the committee of conference, to whom was recommitted the bill to amend the revenue laws of the State as amended by the Senate, reported that the commit

tee had adopted a substitute for the same, and recommend its adoption.

The further consideration of the report was suspended, when the Senate resumed the consideration of the report of the committee of conference upon the House bill to suppress the circulation of shinplasters.

Mr. Rice, of Montgomery, moved that the Senate disagree to the report, and that a further conference be had;

Which motion was lost—yeas 6, nays 10.

Yeas—Messrs. Brewer, Davis, Groce, Hill, Rice of Montgomery, Walker—6.

Nays—Messrs. President, Barnes, Cato, Clarke, Harrison, Jemison, Ligon, Moren, Reavis, Stone—10.

Also moved to postpone the further consideration of the bill and report until to-morrow, half-past 10 o'clock, p. m.

Which was lost—yeas 2, nays 15.

Yeas—Messrs. Rice, of Montgomery, and Walker—2.

Nays—Messrs. President, Barnes, Brewer, Clarke, Crump, Cato, Davis, Groce, Harrison, Hill, Ligon, Jemison, Moren, Reavis, Stone—15.

Senate adjourned until to-morrow morning 9½ o'clock.

DECEMBER 9, 1862.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Mathews, Senator from Tallapoosa.

A message from the House of Representatives by Mr. Eason:

HOUSE OF REPRESENTATIVES,
December, 1862. }

Mr. President:

The House refuses to concur in the report of the committee of conference on the bill to amend an act supplemental to two several acts in relation to salt, approved Dec. 7, 1861, and the several acts to which it is supplemental, and for other purposes;

And has appointed Messrs. Walden, Mabry and B. B. Little, a further committee of conference, and asks for a like committee on the part of the Senate.

The House insists on its disagreement to the amendment of the Senate to the House bill to further amend the revenue laws of the State.

The House concurs in the Senate amendment to the House amendment to the Senate bill making appropriations for the military defense of the State of Alabama;

Messrs. Pickett, Starke and Rives, were appointed a committee of conference upon the House bill to enable the people of Alabama to procure necessary supplies of salt at reasonable prices, and for other purposes.

The House has amended and passed the Senate bill to consolidate certain land districts therein named ;

And passed the Senate bill to incorporate the Chewacla Lime Company.

The House has originated and passed a bill for the relief of Mahulda Robbs.

The House concurs in the report of the committee of conference upon the House bill amended by the Senate to amend the revenue laws of the State.

ALEX. B. CLITHERALL, Clerk.

A message from the Governor by his Private Secretary, Mr. Taylor, announcing his approval of the following bills :

To regulate the sale and exportation of corn ;

To provide just compensation for the services of the Comptroller ;

To provide just compensation for the services of the Treasurer ;

For the relief of Louisa Ann and Wm. W. Davis ;

To provide for the appointment of commissioners to examine the offices and accounts of certain public officers ;

To increase the price of certain public lands belonging to the State of Alabama.

On motion by Mr. Groce—

Resolved, That the Secretary of the Senate be and he is hereby authorized to employ such additional clerks as in his opinion may be necessary in order to dispatch the business of the Senate ;

Which was adopted.

Mr. Morgan, from the committee on Accounts and Claims, reported favorably to the House bill to pay for servant hire for the regular and extra session of the General Assembly.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Ligon, from Select Committee, reported favorably to the House bill to make appropriations for the fiscal year ending 30th Sept., 1863.

The constitutional rule was suspended, and the bill read a third time and passed.

Mr. Barnes, from Select Committee, reported favorably to

the House bill for the relief of H. P. Watson, Adjutant and Inspector General Alabama Militia.

The constitutional rule was suspended, and the bill read a third time and passed.

On motion by Mr. Stone, the Senate proceeded to consider the bill for the benefit of the hospitals established in Richmond, Va., for sick and wounded soldiers from Alabama, and for the benefit of the Military Aid Society of Mobile, and for other purposes.

Messrs. Stone, Clarke and Moren, were appointed a committee of conference on the part of the Senate.

The Senate concurred in the report of the committee of conference upon the bill more effectually to suppress the circulation of shinplasters.

By leave Mr. Reavis introduced a bill to place at the disposal of the Governor an additional sum to carry into effect the act to authorize the issuance of Treasury note change bills by the State of Alabama.

Mr. Rice, from committee of conference on the House bill to enable the people of Alabama to procure necessary supplies of salt at reasonable prices, and for other purposes, reported that the committee have amended the 3d section by inserting after the words "two thousand" the words "five hundred";

The report was concurred in.

The Senate proceeded to the consideration of the report of the committee of conference upon the House bill to amend the revenue laws of the State;

The report was concurred in—yeas 10, nays 9.

Yeas—Messrs. Barnes, Clarke, Coleman, Crump, Davis, Groce, Hill, Jemison, Mathews, McIntyre—10.

Nays—Messrs. President, Brewer, Harrison, Ligon, Moren, Morgan, Reavis, Rice of Montgomery, Stone—9.

Message from the Governor by his private secretary Mr. Taylor, returning the bill to prevent the extortionate charges for freight and passage, with his veto as follows:

EXECUTIVE DEPARTMENT, }
MONTGOMERY, ALABAMA, December 9th, 1862. }

Gentlemen of the Senate:

I return herewith "An act to prevent the extortionate charges for freight and passage," which originated in the

Senate, and which, after mature consideration, I have not been able to approve.

An examination of the various railroad charters granted in this State, shows that the General Assembly retained no power to regulate the charges for freight or passage on the roads. The companies by their respective charters were authorized to charge toll and fix the rates for freight and travel, some within a maximum fixed by their acts of incorporation, and some without any limitation whatever. It is not in the power of the legislature to impair or limit the franchise granted to these companies.

It is well settled by the highest judicial tribunals that "a grant from a State is as much protected by the operation of the provision of the constitution, as a grant from one individual to another, and the State is as much inhibited from impairing its own contracts, or a contract to which it is a party, as it is from impairing the obligation of contracts between two individuals." The charters confer upon the railroad companies the right to change and fix the rates.

The General Assembly now say, by the act under consideration, that the companies should not exercise this right, but that they will fix the rates through the Governor, who is directed "to prescribe a maximum rate of charges for the passage of persons and the freight of all articles transported upon railroads and steamboats, and by Express companies in the State of Alabama." So far as the bill affects the chartered R. R. Companies I believe it to be unconstitutional.

There is another ground of constitutional objection which applies to steamboat and Express companies, as well as to the Rail Road Companies, and that is that the act confers legislative power upon the Executive. The 2d article of our State Constitution by its 1st section provides that "the powers of the government of the State of Alabama shall be divided into three distinct departments, and each of them confided to a separate body of magistracy, to-wit: those which are legislative to one, those which are executive to another, and those which are judicial to another," and the 2d section of the same article provides that "no person or collection of persons being of one of those departments shall exercise any power properly belonging to either of the others, except in the instances hereinafter expressly directed or permitted." The exceptions enumerated in subsequent clauses of the constitution, it will be admitted, do not embrace the bill now under consideration. This act confers upon the Executive, authority to establish rates of freight, and makes it a penal offence if more than these

rates are charged, and if freight or passage be refused, it becomes an indictable offence punishable by fine and imprisonment. The regulation of tolls or freights, or transportation of persons, is a legislative power, whether it be done by the General Assembly, or by municipal corporations. It is in no sense one of the powers appertaining to the Executive office. And what shall constitute a penal or criminal offence can be declared only by the legislative power. The Executive in his civil capacity cannot declare a penalty or a crime, and the power to do it being a legislative power, can not be conferred upon him by the General Assembly.

This act in effect authorizes the Governor to say what shall be a penalty and what shall be a crime. The only condition affixed is that the rates prescribed by him shall be "just and reasonable." If they should be "just and reasonable" the refusal to abide by and obey them becomes penal and criminal. He therefore is to determine and declare the rules of duty for corporations, companies and citizens, who are engaged in the business of common carriers, and his proclamation is to be the law to control their action and subject them to penalties. The exercise of such a power by the Executive as a civil magistrate, would be an invasion of the powers confided to the legislative department, and I am as unwilling to assume them by the consent of the General Assembly as I would be to usurp them in the absence of such consent.

If the act rests for its constitutionality in the idea that it is a seizure of private property or corporation franchise for the public use, I do not think it can be sustained upon that ground; for there is no seizure—no impressment of the property ordered or required—and the schedule of freights and transportation directed to be made is not for the public use, in the legal and constitutional sense, but for the benefit of private and individual citizens, as well as public transportation.

I concur most heartily with the General Assembly in the opinions entertained by them as to the injury inflicted upon the country by extortion in transportation and in all the channels of trade and commerce, and will gladly co-operate in any practicable plan to alleviate this great evil; and have only to add that I deeply regret the necessity which compels me to return the accompanying bill without my official sanction.

JNO. GILL SHORTER.

The Senate passed the bill notwithstanding the Governor's veto—yeas 18, nay 3.

Yeas—Messrs. Barnes, Brewer, Cato, Clarke, Coleman, Crump, Davis, Groce, Hill, Jemison, Ligon, Mathews, Moren, Morgan, McIntyre, Reavis, Rice of Montgomery, and Stone—18.

Nays—Messrs. President, Harrison, Walker—3.

Message from the House by Mr. Eason :

Mr. President :

The House of Representatives refuses to pass the Senate bill to organize the militia of the State and to organize a military force for patrol or police duty ;

And has passed the Senate bill to place at the disposal of the Governor an additional sum to carry into effect the act to authorize the issuance of Treasury note change bills by the State of Alabama ;

The House concurs in the report of the conference committee to the House bill supplemental to two several acts in relation to salt, &c.

By leave Mr. Brewer introduced a bill supplemental to an act to authorize the Secretary of State to employ a clerk ;

Which was read three times, under a suspension of the constitutional rule, and passed—yeas 12, nays 8.

Yeas—Messrs. President, Barnes, Brewer, Coleman, Harrison, Jemison, Ligon, Morgan, McIntyre, Reavis, Rice of Montgomery, and Walker—12.

Nays—Messrs. Cato, Clarke, Crump, Davis, Groce, Hill, Mathews, Moren—8.

Mr. Cato, from committee of conference upon the House bill, amended by the Senate, to amend an act supplemental to two several acts in relation to salt, approved Dec. 7, 1861, reported that the committee had agreed to adopt the substitute of the Senate with the following amendments :

1st. Strike out the word "half," where it first occurs in the 2d section, and insert in lieu thereof "two-fifths" ;

2d. Strike out the word "half," where it occurs in said section, and insert in lieu thereof "three fifths" ;

3d. Add to the 3d section the following proviso :

Provided further, That the Governor shall not permit any person to manufacture salt upon any of the public salt lands without a contract of lease.

LEWIS L. CATO,
Ch'm Senate Com.
GEO. S. WALDEN,
Ch'n House Com.

The report was concurred in—yeas 14, nays 3.

Yeas—Messrs. President, Barnes, Brewer, Cato, Coleman, Crump, Davis, Groce, Ligon, Mathews, Morgan, McIntyre, Reavis, Rice of Montgomery—14.

Nays—Messrs. Clarke, Harrison, Walker—3.

Senate adjourned until this afternoon, 3½ o'clock.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Mr. Brewer, from the Committee on Enrolled Bills, reported the following as correctly enrolled:

To provide just compensation for the services of the Comptroller;

To provide just compensation for the services of the Treasurer;

To prevent the destruction by fire of property in the towns and villages of the counties of Shelby, Jefferson and St. Clair;

To authorize the Secretary of State to employ a clerk;

Making appropriations for the military defense of Alabama;

To incorporate the Chewacla Lime Company;

To place at the disposal of the Governor an additional sum to carry into effect the act to authorize the issuance of Treasury note change bills by the State of Alabama;

To consolidate certain land districts therein named;

To repeal an act to legalize certain entries of land, approved Dec. 9th, 1861.

A message was received from the House by Mr. Lawler, announcing that the House agreed to the report of the committee of conference upon the House bill to authorize the issue and sale of State bonds.

The Senate concurred in the amendment of the House to the Senate bill to consolidate certain land districts therein named.

The House bill for the relief of Mahulda Robbs was read twice.

Mr. Groce moved to amend by striking out section 2;

Which was carried.

The bill was read a third time and passed.

The Senate receded from its amendment to the House amendment to the bill to repeal an act "to legalize certain entries of land, and concurred in the amendment of the House.

Mr. Jemison, from the Committee of Conference upon the House bill to authorize the issue and sale of State bonds, reported that the committee have adopted the following amendments :

1st. The Senate recedes from its amendments to sections 1, 3 and 6.

2d. Amend section 3 by striking out the word "shall," in the 1st line, and insert the word "may."

3d. Also a substitute for section 6.

R. JEMISON, JR., on part of Senate.

L. W. LAWLER, on part of House.

The report was concurred in.

A message was received from the Governor by his Private Secretary, Mr. Taylor, announcing his approval of the following Senate bills :

To incorporate the Chewacla Lime Company ;

To prevent the destruction by fire of property in the towns and villages of the counties of Shelby, Jefferson and St. Clair ;

To place at the disposal of the Governor an additional sum to carry into effect the act to authorize the issuance of Treasury note change bills by the State of Alabama ;

Making appropriations for the military defense of Alabama ;

To authorize the Secretary of State to employ a clerk.

Mr. Stone, from the Committee of Conference upon the House bill for the benefit of the hospitals established in Richmond, Va., for sick and wounded soldiers from Alabama, and for the benefit of the Military Aid Society of Mobile, and for other purposes, reported the following amendments :

1st. Strike out "twenty-five" and insert "fourteen" in section 2.

2. Strike out "one thousand dollars" to pay Dr. Clark, chief surgeon of hospitals at Richmond.

3d. Strike out the appropriation to the hospital at Notasulga, and insert in lieu thereof an appropriation of \$3,500 for the Ladies' Aid Society at Greenville.

LEWIS M. STONE,

Chairman Senate Committee.

C. C. LANGDON,

Chairman House Committee.

The report was concurred in—yeas 13, nays 4.

Yeas—Messrs. President, Barnes, Cato, Clarke, Davis,

Hill, Jemison, Ligon, Moren, Morgan, McIntyre, Reavis, Stone—13.

Nays—Messrs. Brewer, Crump, Harrison, Mathews—4.

A message from the House announcing that the House has originated and passed a bill to amend the militia laws of the State of Alabama;

Also, that the House refuses to pass over the veto of the Governor the bill to prevent the extortionate charges for freight and passage, and has adopted the following resolution:

Resolved, That a committee of three be appointed to act with a like committee on the part of the Senate to wait on the Governor and inform him that the two Houses of the General Assembly having furnished all business before them, are now ready to adjourn, unless he has some further communication to make.

ALEX. B. CLITHERALL, Clerk.

The Senate proceeded to the consideration of the House bill to amend the militia laws of the State of Alabama.

The bill was read twice, under a suspension of the constitutional rule.

Mr. Clarke moved to lay the bill on the table;

Which was lost—yeas 8, nays 10.

Yeas—Messrs. Clarke, Jemison, Ligon, Mathews, Moren, Morgan, McIntyre, Walker—8.

Nays—Messrs. President, Barnes, Cato, Crump, Davis, Harrison, Hill, Reavis, Rice of Montgomery, Stone—10.

The Senate adjourned until to-night 8½ o'clock.

NIGHT SESSION.

The Senate met pursuant to adjournment.

The Senate concurred in the resolution of the House proposing to appoint a joint committee of three to wait upon the Governor, and inform him that the two Houses having finished all the business before them, are now ready to adjourn, unless he has some further communication to make.

Messrs. Rice, of Montgomery, Cato and Moren, were appointed the committee on the part of the Senate.

A message was received from the Governor by his Private Secretary, Mr. Taylor, announcing his approval of the following bills:

To repeal an act to legalize certain entries of land, approved Dec. 9, 1861;

To consolidate certain land districts therein named.

Mr. McIntyre moved a call of the Senate ;

The question being shall the call be made, was carried—
Yeas 6, nays 4.

Yeas—Messrs. President, Cato, McIntyre, Reavis, Rice of Montgomery, Stone—6.

Nays—Messrs. Brewer, Davis, Hill, Walker—4.

Upon a call of the roll, the following Senators were present :

Messrs. President, Barnes, Brewer, Cato, Davis, Hill, Jemison, Ligon, Moren, McIntyre, Reavis, Rice of Montgomery, Stone, Walker—14.

The Senate proceeded to the consideration of the House bill to amend the militia laws of the State of Alabama ;

Which was under consideration at adjournment.

Mr. Reavis moved to amend by additional section, as section —.

Mr. Barnes moved to lay the bill and amendment on the table.

The question upon a division was taken, on laying the bill on the table ;

Which was lost.

The amendment was laid on the table.

Mr. Reavis moved to indefinitely postpone the bill ;

Which was lost.

The bill was ordered to a third reading.

Mr. Reavis offered the following resolution :

Resolved, That the Senate hereby tenders its thanks and kind regards to the President of the Senate, for the able, dignified, impartial and courteous manner in which he has discharged the duties of his office during the present session.

Resolved, That similar thanks and regards are hereby tendered the Secretary and Assistant Secretary of the Senate, for the accurate, faithful and gentlemanly manner in which they have discharged their duties during the present session.

Resolved, That the Senators hereby tender to each other their congratulations for the harmonious, kind, and courteous manner in which they have acted toward each other, and disposed of the public business during the present session.

The resolutions were adopted.

Mr. Rice of Montgomery, from the Committee to wait upon the Governor, reported that the Governor had no further communication to make to the General Assembly.

A message from the House by Mr. Little :

HOUSE OF REPRESENTATIVES,
December 9, 1862. }

Mr. President :

The House has adopted the following resolution :

Resolved, The Senate concurring, the two Houses do now adjourn *sine die*.

ALEX. B. CLITHERALL, Clerk.

On motion by Mr. Rice, of Montgomery, the vote ordering to a third reading the House bill to amend the militia laws of the State of Alabama, was reconsidered.

The Senate refused to suspend the constitutional rule.

The Senate refused to order the bill to a third reading.

The Senate concurred in the resolution of the House, proposing that the two Houses of the General Assembly do now adjourn *sine die*.

Whereupon, Mr. President, in response to the resolution adopted this evening, returned his thanks to the Senate in an able and feeling manner, and declared the Senate adjourned *sine die*.

J. M. CALHOUN,
President of the Senate.

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